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1st Session

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REPORT
No. 98-76

HISTORY, JURISDICTION, AND A SUMMARY OF LEGISLATIVE ACTIVITIES DURING THE 97TH CONGRESS OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

PREPARED AT THE REQUEST OF

JAMES A. MCCLURE, *Chairman*

COMMITTEE ON ENERGY AND NATURAL RESOURCES

UNITED STATES SENATE

MAY 5 (legislative day, MAY 2), 1983.—Ordered to be printed

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[98th Congress]

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MEMORANDUM OF THE CHAIRMAN

To Members of the Senate Committee on Energy and Natural Resources:

This report reviews the accomplishments of the Committee on Energy and Natural Resources in the 97th Congress.

During this period, the committee's oversight activities emphasized (*a*) oversight of administration of existing laws; (*b*) increased congressional support for administrative remedies for identified problems, and issues; and (*c*) regulatory reform through rulemaking.

The committee's initial legislative emphasis was on the congressional budgetary process through which the Congress for the first time both provided a multiyear authorization for the civilian programs of the Department of Energy for each of the 3 fiscal years 1982, 1983, and 1984; and, established authorization limitations on certain natural resources programs of the Department of the Interior and the Forest Service in the Department of Agriculture. Similar authorization limitations were established for the Advisory Council on Historic Preservation, the Pennsylvania Avenue Development Corporation, and the United States Holocaust Memorial Council. In addition, the Congress considered but rejected proposed budgetary reforms relating to the land and water conservation fund and the payment-in-lieu-of-taxes program.

In the areas of natural resources, during the 97th Congress the committee acted aggressively to initiate Senate consideration of a broad spectrum of natural resource issues. The committee focused its attention on: (*a*) oversight of the Federal natural resources budget; (*b*) royalties management; (*c*) Federal property management; and (*d*) Federal lands policy issues related to mineral leasing reform. The major natural resource legislative accomplishments of the committee during the 97th Congress included:

Title XIV of the Omnibus Reconciliation Act of 1981 (Public Law 97–35) regarding Department of the Interior and related program authorization;

Reclamation Reform Act of 1982 (title II of Public Law 97–293);

Federal Oil and Gas Royalty Management Act of 1982 (Public Law 97–451); and

An act facilitating and encouraging the production of oil from tar sand and other hydrocarbon deposits (Public Law 97–78).

In addition, as discussed herein, the 97th Congress completed action on: (*a*) numerous national parks and wilderness proposals; and (*b*) Federal lands policy issues, particularly mineral leasing reform.

In the energy field, the committee focused its early attention on the decontrol of crude oil by the President immediately following the Inauguration. The President's action was sustained by the Senate.

The energy oversight activities of the committee included (*a*) the world petroleum outlook; (*b*) the Department of Energy budgets for fiscal years 1982, 1983 and 1984; (*c*) energy emergency preparedness; (*d*) natural gas policy and regulatory activities; and (*e*) acid precipitation and the use of fossil fuels.

Initial legislative emphasis was on the congressional budgetary process through which energy research and development programs were restructured. The major energy legislative accomplishments of the committee during the 97th Congress included:

Energy Emergency Preparedness Act of 1982 (Public Law 97–229);

Natural Nuclear Waste Policy Act of 1982 (Public Law 97–425);

An act (Public Law 97–93) to approve the President's recommendations for a waiver of law pursuant to the Alaska Natural Gas Transportation Act of 1976; and

Title X of the Omnibus Reconciliation Act of 1981 (Public Law 97–35) regarding energy and energy related programs, including Department of Energy authorizations for the 3 fiscal years 1982, 1983, and 1984.

Because of committee concern for the adequacy of the U.S. energy preparedness in the event of a severe petroleum supply shortage, extensive oversight hearings were held by the full committee on (*a*) world petroleum outlook; (*b*) the programs of the International Energy Agency; and (*c*) standby oil control. These reviews supported congressional approval of S. 1503, the Standby Petroleum Allocation Act of 1983, which was vetoed by the President; the veto was sustained by the Senate. Subsequently, however, the Congress enacted the Energy Emergency Preparedness Act of 1982 (Public Law 97–229), including extension of the existing International Energy Agency antitrust exemption until December 31, 1983.

The Congress also completed action on comprehensive nuclear waste legislation, the National Nuclear Waste Policy Act of 1982 (Public Law 97–425), which will provide the programmatic, financial, and legal basis for a solution to the Nation's nuclear waste management challenge. (This legislation was jointly reported with the Environment and Public Works Committee.)

The full committee conducted an coversight review of the pricing provision of the Natural Gas Policy Act of 1978. During the 1982 postelection session, the committee also held a hearing on the then current conditions in the natural gas market and the factors contributing to these conditions, in response to serious concerns that prompted demands for immediate relief from the gas price increases projected for the winter 1982–83. Subsequently the Senate by a vote of 90 to 3 approved a resolution (S. Res. 515) relating to the need to provide our Nation's natural gas consumers with immediate and long-term relief from rapidly increasing natural gas prices.

These energy initiatives, particularly the multiyear authorizations for the Department of Energy in the Omnibus Reconciliation Act of 1981 (Public Law 97–35), involved detailed consideration of numerous policy and program issues associated with the Federal Gov-

ernment's policies and programs for energy conservation, development, and regulation.

In the area of insular affairs, the committee acted on territorial matters within its jurisdiction including the Virgin Island Constitution legislation and several other key territorial matters.

The impressive oversight and legislative record of the committee during the 97th Congress laid the foundation for the activities in the 98th Congress.

JAMES A. MCCLURE,
Chairman.

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Mr. JAMES A. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

HISTORY AND CURRENT JURISDICTION

HISTORY

Although the Federal Constitution does not even mention committees, the committee system was established by the First Congress. Our first lawmakers recognized the need for workable units to find facts and make policy recommendations, based on indepth study and expertise.

The present committee organization was created in 1977 by the "Committee System Reorganization Amendments of 1977" (S. Res. 4, 95th Congress). The purpose of Senate Resolution 4 was to streamline the Senate's procedural organization by reorganizing the committee jurisdictions as reasonably as possible and within the hands of fewer committees.

CURRENT JURISDICTION

Under Senate Rule XXII the jurisdiction of the Committee on Energy Natural Resources extends to—

all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Coal production, distribution, and utilization.
2. Energy policy.
3. Energy regulation and conservation.
4. Energy related aspects of deepwater ports.
5. Energy research and development.
6. Extraction of minerals from oceans and Outer Continental Shelf lands.
8. Mining education and research.

9. Mining, mineral lands, mining claims, and conservation.
10. National Parks, recreation areas, wilderness areas, wild and scenic rivers, historical sites, military parks and battlefields, and on the public domain, preservation of prehistoric ruins and objects of interest.
11. Naval petroleum reserves in Alaska.
12. Nonmilitary development of nuclear energy.
13. Oil and gas production and distribution.
14. Public lands and forests, including farming and grazing thereon, and mineral extraction therefrom.
15. Solar energy systems.
16. Territorial possessions of the United States, including trusteeships.

At the beginning of the 97th Congress (1981–82), the committee reorganized its subcommittees to reflect its anticipated oversight and legislative workload. At the January 6, 1981, committee organizational meeting six subcommittees were established: the Subcommittee on Energy Conservation and Supply; the Subcommittee on Energy and Mineral Resources; the Subcommittee on Energy Research and Development; the Subcommittee on Energy Regulation; the Subcommittee on Public Lands and Reserved Water; and the Subcommittee on Water and Power.

Under the new subcommittee structure, the jurisdiction of the Subcommittee on Energy Conservation and Supply included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (for example, wind, solar, ocean thermal energy conversion); deepwater ports; liquified natural gas projects; lowhead hydro; OCS leasing; and deep seabed mining.

The jurisdiction of the Subcommittee on Energy and Mineral Resources included oversight and legislative responsibilities for energy and nonfuel mineral resources; Federal mineral leasing; mining policy and general mining laws; surface mining; petroleum reserves; Strategic Petroleum Reserves; coal production, distribution, and utilization; oil and gas production and distribution; mining education and research; mineral extraction from public lands; and mining claims and mineral conservation.

The jurisdiction of the Subcommittee on Energy Research and Development included oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D, except nonnuclear commercialization projects; nuclear fuel cycle policy, including uranium resources; Synthetic Fuels Corporation; and new technologies R&D (for example, solar, OTEC, and MHD).

The jurisdiction of the Subcommittee on Energy Regulation included oversight and legislative responsibilities for nuclear insurance and facilities siting; pipelines; coal conversion; regulatory functions of Economic Regulatory Administration (except emergency petroleum allocation); FERC [Federal Energy Regulatory Commission]; Intergovernmental Relations; refinery policy; PIFUA [Powerplant and Industrial Fuel Use Act] and ESECA [Energy Supply and

Environmental Coordination Act] amendments; crude oil and petroleum product pricing; and gasoline rationing.

The jurisdiction of the Subcommittee on Public Lands and Reserved Water included oversight and legislative responsibilities for BLM lands (timber, range wildlife, and recreation management); national forests lands; parks; wilderness; wild and scenic rivers; Alaska Native Claims Settlement Act; reserved water rights; MX missile land withdrawal; national recreation areas; national monuments; historic sites; military parks and battlefields; National Trail System; land and water conservation fund; creation of wildlife refuges on public lands; historic preservation; renewable resources; and, on the public domain, preservation of prehistoric ruins and objects of interest.

The jurisdiction of the Subcommittee on Water and Power included oversight and legislative responsibilities for irrigation; reclamation projects; power marketing administrations (for example, Bonneville, Western Area Power, Southwestern Power); energy development impacts on water resources; small power producers; and hydroelectric power.

In addition, numerous important matters were considered directly by the full committee without initial reference to a subcommittee. In addition to executive nominations, such matters include issues that (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdiction, or (3) are of exceptional national significance in which all members wish to participate fully.

During the 97th Congress the jurisdiction of the full committee also included oversight and legislative responsibilities for coal severance tax; breeder reactor development; natural gas pricing; petroleum allocation; international energy affairs; ANGTS [Alaska Natural Gas Transportation System] financing; and territorial policy (including changes in status such as statehood or Micronesian Compacts of Free Association and issues affecting Antarctica.

The Committee on Energy and Natural Resources is one of the most active of the legislative committees of the Senate, processing more bills, on the average, than any of the other committees except for Judiciary, which handles a large number of private bills.

Summary of Committee Activities In the 97th Congress

During the 97th Congress a total of 327 bills and resolutions were referred for consideration to the Senate Committee on Energy and Natural Resources.

Twelve other bills and resolutions under the committee's jurisdiction were handled on the floor of the Senate without committee referral. In addition, the committee received 49 nominations, 491 executive communications, and 47 Presidential messages.

The committee held 174 days of public hearings (including 4 days of workshops), held 68 business meetings, and participated in 17 House-Senate conferences during the 97th Congress. Ninety Senate reports were filed on various bills and resolutions, and 10 other bills were reported to the Senate without reports being filed to accompany them. Five conference reports were filed on bills and resolutions under

the committee's jurisdiction. A total of 56 bills and resolutions became public laws and 4 bills were enacted into private laws. Two bills were vetoed by the President. The provisions of 28 other bills and resolutions referred to the committee were included in the 60 that became law. In addition, the committee held 62 days of oversight hearings (including 4 of the workshops) on matters pertaining to the committee's jurisdiction.

During the first session initial activities of the committee emphasized (*a*) oversight of existing laws; (*b*) increased congressional support for administrative remedies for identified problems and issues; and (*c*) regulatory reform through rulemaking in connection with programs within the jurisdiction of the committee.

During the second session the committee continued its oversight of existing laws but placed greater emphasis on legislative reforms that did not lend themselves to administrative remedies and rulemaking.

Initial legislative emphasis was on the congressional budgetary process. The major legislative achievements of the committee during the 97th Congress include:

An act (Public Law 97–93) to approve the President's recommendations for a waiver of law pursuant to the Alaska Natural Gas Transportation Act of 1976;

Title X of the Omnibus Reconciliation Act of 1981 (Public Law 97–35) regarding energy and energy related programs, including Department of Energy authorizations for the 3 fiscal years 1982, 1983, and 1984;

Title XIV of the Omnibus Reconciliation Act of 1981 (Public Law 97–35) regarding Department of the Interior and related program authorizations;

Energy Emergency Preparedness Act of 1982 (Public Law 97–229);

National Nuclear Waste Policy Act of 1982 (Public Law 97–425);

Reclamation Reform Act of 1982 (title II of Public Law 97–293); and

Federal Oil and Gas Royalty Management Act of 1982 (Public Law 97–451).

Energy issues

In the energy field, the committee focused its early attention on the decontrol of crude oil by the President immediately following the Inauguration. The President's action was sustained by the Senate.

Because of committee concern for the adequacy of the U.S. energy preparedness in the event of a severe petroleum supply shortage, extensive oversight hearings were held by the full committee on (*a*) the world petroleum outlook; (*b*) the programs of the International Energy Agency; and (*c*) standby oil control. These reviews supported congressional approval of S. 1503, the Standby Petroleum Allocation Act of 1983, which was vetoed by the President; the veto was then sustained by the Senate. Subsequently, however, the Congress enacted the Energy Emergency Preparedness Act of 1982 (Public Law 97–229), including extension of the existing International Energy Agency antitrust exemption until December 31, 1983.

Successful committee energy initiatives contained in the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35) included the first multiyear authorization for the Department of Energy, with authorized funding levels consistent with President Reagan's proposed fiscal year 1982 budget; new off-budgeting financing the Strategic Petroleum Reserve crude oil purchases; and needed regulatory reforms in the area of natural gas usage by electric power plants and energy conservation measures.

The Congress also completed action on comprehensive nuclear waste legislation, the National Nuclear Waste Policy Act of 1982 (Public Law 97–425), which will provide the programmatic, financial, and legal basis for a solution to the Nation's nuclear waste management challenge. (This legislation was jointly reported with the Environment and Public Works Committee.)

The full committee conducted an oversight review of the pricing provision of the Natural Gas Policy Act of 1978. In addition the Congress approved the Alaska natural gas pipeline waiver package (Public Law 97–93), submitted by President Reagan.

These energy initiatives, particularly the multiyear authorizations for the Department of Energy in the Omnibus Reconciliation Act of 1981 (Public Law 97–35), involved detailed consideration of numerous policy and program issues associated with the Federal Government's policies and programs for energy conservation, development, and regulation.

Natural resources

In the area of natural resources, the committee acted aggressively to initiate Senate consideration of a broad spectrum of natural resource issues. During the first session the committee focused its attention on: (*a*) oversight of the Federal natural resources budget; (*b*) royalties management; (*c*) Federal property management; and (*d*) Federal lands policy issues related to mineral leasing reform.

In the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35), the committee acted to bring needed budgetary constraints on the programs of the Department of the Interior and the Forest Service (Department of Agriculture). For the first time, total authorization limitations were enacted for fiscal years 1982, 1983, and 1984 by that act for those Department of the Interior programs in the jurisdiction of the committee. The legislation also included a series of appropriations targets for individual programs within the Department for purposes of allocating available funding under the authorization limitation. Consequently fiscal year 1982 budget outlay savings of $0.5 billion were achieved for certain programs of the Department of the Interior.

Similar action was taken in establishing a total authorization for the Forest Service programs within the joint jurisdictions of the committee and the Agriculture Committee.

The committee in its fiscal year 1983 recommendations to the Senate Budget Committee supported the President's proposed aggregate appropriations for programs of the Department of the Interior. However, within such aggregate budget authority the committee:

Supported "continuation of the following programs at fiscal year 1982 appropriations levels: Payments in lieu of taxes; the historic preservation fund; the parks restoration, improvement, and maintenance program; and urban parks";

Supported continuation of the aggregate appropriations from the land and water conservation fund at the fiscal year 1982 appropriation levels (including the Department of the Interior and Department of Agriculture moneys)"; and

Recommended that "some portion of the fiscal year 1983 appropriations from the land and water conservation fund be made available for the State matching grant program".

As discussed herein, the 97th Congress completed action on: (*a*) numerous national parks and wilderness proposals; and (*b*) Federal lands policy issues, particularly mineral leasing reform.

The Congress also completed action on long awaited reform of the 1902 reclamation law. The Reclamation Act of 1982 (title II of Public Law 97–293) provides for an increase in the basic ownership interests to which reclamation water may be supplied and for a full cost formula for larger farming operations.

Insular affairs

In the area of insular affairs, the committee acted on territorial matters within its jurisdiction including the Virgin Island Constitution legislation and several other key territorial matters.

Full Committee

James A. McClure, Idaho, *Chairman*

JURISDICTION

Numerous important matters were considered directly by the full committee without initial reference to a subcommittee. During the 97th Congress the jurisdiction of the full committee included oversight and legislative responsibilities for coal severence tax; breeder reactor development; natural gas pricing; petroleum allocation; international energy affairs; ANGTS [Alaska Natural Gas Transportation System] financing; and territorial policy (including changes in status such as statehood or Micronesian Compacts of Free Association and issues affecting Antarctica. In addition to executive nominations, such matters include issues which (1) require extremely expeditious handling, or (2) substantially overlap two or more subcommittee jurisdictions, or (3) are of exceptional significance in which all Members wish to participate fully.

OVERVIEW

Nominations

During the 97th Congress, 49 nominations were submitted by President Reagan and referred to the committee. Of these 48 were considered favorably by the committee and confirmed by the Senate.

With the change in administrations following the 1980 Presidential election, the committee was faced with an extensive slate of Cabinet and sub-Cabinet nominees. For example, during the first session, the committee considered and favorably reported forty nominations sub-

mitted by President Reagan, all of which were confirmed by the Senate. Those nominations included two cabinet officers (the Secretary of the Interior and the Secretary of Energy), the Chairman of the Federal Energy Regulatory Commission, and the first congressionally confirmed chairman and four Directors of the newly established United States Synthetic Fuels Corporation. The remaining nominees filled numerous subcabinet positions in the aforementioned organizations. Several of the nominations involved extensive investigation and multiple hearings to establish firmly the full qualifications of the nominees for the appointed positions. Fifteen days of nomination hearings were held by the committee during the first session.

During the second session an additional nine nominations, including the nomination of a new Secretary of Energy, were submitted by the President and referred to the committee. An additional 4 days of nominations hearings were held during the second session. Eight of these nominations were subsequently favorably reported and confirmed by the Senate.

Presidential messages

Forty-seven Presidential messages were transmitted to the committee during the 97th Congress dealing with a variety of subjects within the committee's jurisdiction.

Executive communications

The committee received a total of 491 executive communications transmitting legislative recommendations and relating to the committee's oversight responsibilities.

Publications

During the 97th Congress the committee published hearing records (many in multiple parts) on 129 different subjects. Eighteen of these dealt with Presidential appointees, and the remaining 111 publications provided background material pertinent to the committee's legislative activities and oversight responsibilities.

In addition, the committee published seven committee prints dealing with areas of national interest and concern within its jurisdiction.

OVERSIGHT ACTIVITIES

During the 97th Congress, the full Committee on Energy and Natural Resources conducted 20 days of oversight hearings on a variety of issues pertinent to its jurisdiction, including:

World petroleum outlook for 1981 (2 days);
Department of Energy budget for fiscal year 1982 (2 days);
Natural resources budget for fiscal year 1982 (2 days);
Standby oil controls (2 days);
Mineral royalties (2 days);
Natural Gas Policy Act of 1978, title I (2 days);
Natural resources budget for fiscal year 1983 (2 days);
Energy budget for fiscal year 1983 (1 day);
Natural gas policy and regulatory issues (2 days);
Federal property management and disposal (1 day);
Acid precipitation and the use of fossil fuels (1 day); and
Current conditions in natural gas market (1 day).

As discussed earlier, the initial activities of the committee emphasized (*a*) oversight of existing laws; (*b*) increased congressional support for administrative remedies for identified problems and issues; and (*c*) regulatory reform through rulemaking in connection with programs within the jurisdiction of the committee. During the second session the full committee continued its oversight of existing laws but placed greater emphasis on legislative reforms. These oversight activities devoted considerable time to (*a*) review of acid precipitation and fossil fuel use in our economy; (*b*) fulfilling the budgetary responsibilities of the committee discussed elsewhere herein; and (*c*) natural gas issues.

Acid precipitation

The full committee conducted a review of the general issue of acid precipitation and fossil fuel use in our Nation's energy economy. This review was a continuation and natural extension of the Eneregy and Natural Resources Committee's historic focus on the relationship of fossil fuel use and environmental protection generally and acid precipitation specifically.

The committee's concern for acid precipitation dates from the 93d Congress, with enactment of the Energy Supply and Environmental Coordination Act of 1974, which authorized the first major Federal program for the conversion of existing electric powerplants and major fuel burning installations to coal.

Subsequently, the 96th Congress saw enactment of title VII of the Energy Security Act, the Acid Precipitation Act of 1980. That act established a comprehensive 10-year research program on acid precipitation to be administered by an interagency acid precipitation task force. Chaired jointly by the Department of Agriculture, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration, this Federal effort involves nine other Federal entities which are directly involved with ongoing acid precipitation research.

The committee's oversight considered (*a*) the development and evolution of environmental protection requirements related to energy facilities; (*b*) the task force's research plan transmitted to the Congress; (*c*) the effect of proposed changes in emission controls on coal production; and (*d*) the extent that such proposed controls might result in, or encourage, fuel switching from coal to oil or natural gas.

Natural gas deregulation

During the first session the full committee held hearings on implementation of the wellhead pricing provisions of the Natural Gas Policy Act of 1978 (Public Law 95–621) in anticipation of proposed legislation from the administration. Further hearings were held in the second session on natural gas policy and regulatory issues. However, natural gas legislation was not forthcoming from the administration during the 97th Congress.

Nevertheless, during the 1982 postelection session, the committee also held a hearing on the current conditions in the natural gas market and the factors contributing to these conditions, in response to serious concerns that prompted demands for immediate relief from the gas price increases projected for the winter 1982–83. These hearings also considered related legislative proposals, including S. 2074, S. 2892, S. 3028,

S. 3054, S. 3069, S. 3070, S. 3076, and S. 3088. Subsequently the Senate by a vote of 90 to 3 approved a resolution (S. Res. 515) relating to the need to provide our Nation's natural gas consumers with immediate and long-term relief from rapidly increasing natural gas prices.

MAJOR LEGISLATIVE ACTIVITIES

During the 97th Congress, 54 Senate bills, 3 Senate joint resolutions, 1 Senate concurrent resolution, 5 Senate resolutions, 7 House bills, and 1 House joint resolution were referred, for consideration, to the full Committee on Energy and Natural Resources. In addition, one Senate bill, one Senate resolution, and two House bills under the full committee's jurisdiction were handled on the floor of the Senate without committee referral.

Twelve measures within the jurisdiction of the full committee became public laws. An additional six measures under the full committee's jurisdiction were reported to the Senate, of which two passed the Senate but were not the subject of House action.

During the 97th Congress the full committee held 24 days of legislative hearings on such matters as:

President's recommendation for a waiver of law to permit expedited construction of the Alaska natural gas transportation system (3 days);

Energy Emergency Preparedness Act of 1982 (3 days);

Coal slurry legislation (2 days);

International Energy Agency programs, including extension of section 252 of the Energy Policy and Conservation Act (3 days);

National Nuclear Waste Policy Act of 1982 (2 days), jointly with Committee on Environment and Public Works;

Interstate Oil and Gas Compact extension (1 day);

Reclamation Reform Act of 1982 (2 days);

State and local energy block grants (2 days); and

Three Mile Island (1 day), jointly with Committee on Environment and Public Works;

Omnibus territories legislation (1 day); and

Approval of the Virgin Islands Constitution, and other matters (1 day);

Omnibus Budget Reconciliation Act of 1981

The first session of the 97th Congress concentrated on enactment of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35).

Department of Energy.—In that Act the Congress, for the first time, provided a multiyear authorization for the programs of the Department of Energy for each of the 3 fiscal years 1982, 1983, and 1984. That act achieved fiscal year 1982 budget outlay savings of $4.6 billion for programs of the Department of Energy. That act also included off-budget fiscal year 1982 financing for the strategic petroleum reserve program consistent with reconciliation instructions. Subsequently that funding mechanism was extended to cover fiscal years 1983 and 1984. (Also see separate discussion on the strategic petroleum reserve.)

That act also included provisions which amended the Powerplant and Industrial Fuel Use Act of 1978 to allow the use of natural gas in existing electric powerplants and to streamline coal conversion pro-

cedures for electric powerplants. Coupled with the regulatory reforms that the administration undertook with committee support the requlatory burden of this program on industry was substantially reduced while maintaining the policy of the act to foster increased usage of coal in lieu of oil imports by electric powerplants and major fuel burning installations. The 1990 prohibition on the use of natural gas by existing electric powerplants also was repealed.

In that act the Congress also repealed the requirement in the Powerplant and Industrial Fuel Use Act that local distribution companies cease to supply natural gas to existing residential outdoor lighting fixtures. That act also amended existing law to repeal certain mandatory energy conservation standards and replace them with voluntary performance standards for new buildings.

Natural Resources.—In the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35), the Congress established, for the first time, authorization limitations on certain natural resources programs of the Department of the Interior and the Forest Service in the Department of Agriculture for fiscal years 1982, 1983, and 1984. Similar authorization limitations were established for the Advisory Council on Historic Preservation, the Pennsylvania Avenue Development Corporation, and the United States Holocaust Memorial Council.

Additionally, the committee considered but rejected, proposed budgetary reforms proposed by the administration relating to the land and water conservation fund and the payment-in-lieu of taxes program. Several proposed natural resource initiatives from the Reagan administration also were included in the act.

Alaska natural gas transportation system

During the first session the committee reported and the Senate passed overwhelmingly the President's waiver package for the Alaska natural gas pipeline pursuant to expedited procedures in existing law. The 3 days of hearings on the waiver (S. J. Res. 115) were held. The waiver package (Public Law 97–93) provided the legal basis for private financing for the pipeline project, which retains essential protections for consumers and other interests in the lower 48 States.

Coal slurry pipeline

On August 17, 1982, the committee reported favorably S. 1844, the Coal Distribution and Utilization Act of 1982. Particular attention was devoted to the application of State water law for the water used in any interstate coal pipeline distribution systems (coal slurry pipelines). No further action was taken by the Senate on the measure.

As reported, the purpose of the bill was to facilitate the development of interstate coal pipeline distribution systems but subject to the primacy of State water law. This was to be accomplished by granting the Federal power of eminent domain to those interstate coal pipeline distribution systems that was determined by the Secretary of Energy to be in the national interest based on certain statutory findings, while maintaining the applicability of any State or local law pertaining to the location, construction, operation, and maintenance of an interstate coal pipeline distribution system, except where such application was effectively a prohibition. The measure also established unequivocably that all interstate coal pipeline distribution systems

would be subject to the primacy of State water law in all circumstances.

Department of Energy authorizations

Concurrent with enactment of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35), the committee undertook oversight of the programs of the Department of Energy. This effort was conducted jointly by the full committee, the Subcommittee on Energy Conservation and Supply, the Subcommittee on Energy and Minerals, the Subcommittee on Energy Regulation, the Subcommittee on Energy Research and Development, and the Subcommittee on Water and Power.

Consequently, the committee supported a different programmatic structure for the energy programs of the Department within the fiscal year 1982 budgetary totals proposed by the Reagan administration.

Subsequently, following oversight of the administration's proposed fiscal year 1983 budget, the committee recommended, and the Congress supported, continuation of certain DOE programs at fiscal year 1982 appropriations levels; namely, energy conservation, fossil energy, solar, and other renewable energy, and departmental administration. In addition, in recognition of the seriousness of the U.S. energy problems the committee supported continuation of such departmental programs as U.S. participation in the International Energy Agency; energy emergency preparedness (including the Strategic Petroleum Reserve); basic energy research and development; nuclear energy development; Federal power marketing activities; nuclear waste disposal programs; and coordination of the national laboratories.

Energy conservation (including State block grants)

The committee supported, and the Congress approved in the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35), substantial reductions in energy conservation research and development programs and in State and local government grant programs. However, the committee also recommended, and the Congress supported, a basic minimum level of funding in fiscal year 1982 in excess of that recommended by the Reagan administration for Federal energy conservation programs.

Subsequently in its recommendation to the Senate Budget Committee on the fiscal year 1983 budget, the committee recommended that energy conservation programs be continued at the fiscal year 1982 levels of program activity (including fiscal year 1981 deferrals). This recommendation also was supported by the Congress.

In order to improve the cost-effectiveness of State and local energy conservation programs, including low-income weatherization programs, the full committee and the Subcommittee on Energy Conservation and Supply, conducted extensive oversight and legislative hearings on energy conservation. These hearings also examined the feasibility of State energy conservation block grants as a substitute for categorical energy conservation grant programs.

Energy emergency preparedness

During the first session, after expiration of the Emergency Petroleum Allocation Act of 1973, the committee conducted extensive oversight hearings on the role of the Federal Government in the event of a

severe supply interruption. Those oversight hearings led to legislative consideration of S. 1503 (the Standby Petroleum Allocation Act of 1982), a bill to provide new, limited authority for the President to allocate crude oil and petroleum products in the event of such an interruption under very strict limitations and restrictions, where marketplace forces would not satisfy fundamental economic requirements. That legislation, which passed the Senate by a vote of 85 to 7, was vetoed by the President and the veto was sustained.

Subsequently, the committee turned its attention to additional in-depth review of the U.S. energy preparedness. Such an inqiry was particularly appropriate as the United States is now dependent on the marketplace, and, as the President noted in his veto message on S. 1503, on the general powers that can be used by the President to protect national security, meet our treaty obligations and assure essential public health and safety functions.

The committee began this inquiry with a review of the related domestic and international programs of the Department of Energy. The review examined: (*a*) the U.S. energy emergency preparedness activities; (*b*) the International Energy Program and the U.S. participation in that program; (*c*) the agreements and commitments currently encompassed within the international energy program, including responses to "sub-trigger" supply problems; and (*d*) the importance of extending the antitrust exemption contained in section 252 of the Energy Policy and Conservation Act (EPCA).

Subsequently the Congress enacted the Energy Emergency Preparedness Act of 1982 (Public Law 97–229) because of a concern over the lack of progress made in our Nation's energy emergency preparedness planning, and a desire to insure adequate energy emergency preparedness. The act adopted as U.S. policy that "the Federal Government shall be prepared prior to any shortage of petroleum products to respond to energy emergencies, pursuant to authorities under provisions of law other than this part, as a supplement to reliance on the free market to mitigate the adverse impacts of a shortage of petroleum products on public health, safety, and welfare" (42 U.S.C. 6281(b)).

The act expressly limits the authority of section 252 of EPCA (the antitrust exemption) to actions taken to implement the allocation and information provisions of the international energy program, contained in chapters III, IV, and V as originally signed by the United States in 1974. Thus, the antitrust defense would not apply to any actions taken by U.S. oil companies in response to so-called subcrisis supply disruptions, if such actions were not also authorized by such chapters.

In support of this policy objective, the act also (*a*) provided a two-step procedure for the preparation of a comprehensive energy emergency response procedure under the authorities available to the President under otherwise existing law; (*b*) extended the expiration date of the antitrust defense under section 252 of the Energy Policy and Conservation Act until August 1, 1983; (*c*) required the President to acquire crude oil and petroleum products for the strategic petroleum reserve at an annual average rate of at least 300,000 barrels per day until the quantity stored in the reserve is at least 500 million barrels;

(*d*) provided for an analysis of the impact on the domestic economy and on consumers in the United States of reliance on market allocation and pricing during a severe petroleum supply shortage; and (*e*) required the collection, under other provisions of law, on a State-by-State basis, of information regarding the wholesale and retail prices, supplies, and distribution of crude oil and petroleum products.

Federal Oil and Gas Royalty Management Act of 1982

The full committee held oversight and legislative hearings on Federal leasing programs and royalty management issues. During the second session the Congress enacted the Federal Oil and Gas Royalty Management Act of 1982 (Public Law 97–451) to improve the collection of Federal royalty and lease payments from certain oil and gas resources. The act establishes in one-statute the generic authority for an effective royalty management system. The act also provides authority for greater responsibilities to be carried out by the States.

Federal leasing policies

During the first session, tar sands leasing reform legislation was enacted (Public Law 97–78; Energy and Minerals Subcommittee). The committee also reported oil shale leasing reform legislation (S. 1484) which was subsequently enacted, in part, in the Continuing Appropriations Act for Fiscal Year 1983 (Public Law 97–276) and the Interior Department and Related Agencies Appropriations Act for Fiscal Year 1983 (Public Law 97–394).

These legislative initiatives along with Federal royalty management, were intended to provide needed statutory modifications to expedite the availability of these resources for development to meet out national needs and clarify statutory provisions which would impede such development.

National Nuclear Waste Policy Act

On November 25, 1980, Senator McClure encouraged the Reagan administration to provide for an early demonstration (1980) of the geologic disposal on nuclear wastes, and immediate implementation of an away-from-reactor storage program, and a commitment to the "monitored retrievable storage" concept contained in S. 2189 (96th Congress).

On September 24, 1981, Chairman McClure introduced legislation (S. 1662) which was cosponsored by Senators Domenici, Stafford, Simpson, and Symms. And on October 1, 1981, President Reagan announced several policy initiatives regarding nuclear energy. Subsequently, the Congress completed action on comprehensive nuclear waste legislation which would provide the programmatic and financial basis for a solution to the Nation's nuclear waste challenge.

The fundamental purpose of the National Nuclear Waste Policy Act of 1982 (Public Law 97–425) is to establish the policy of Federal responsibility for the interim storage of commercial spent nuclear fuel on a limited basis, and for the long-term storage and disposal of commercial high-level nuclear waste and commercial spent fuel. A Federal program to implement these policies is established and is financed through a mandatory fee on electricity generated by civilian nuclear power.

The Secretary of Energy is authorized to (*a*) provide interim away-from-reactor storage space for up to 1,900 metric tons; (*b*) nominate by January 1, 1985, up to five candidate sites, from which one subsequently would be selected, for the first repository for disposal of high-level wastes; (*c*) by July 1, 1989, nominate five additional candidate sites for the second repository; and (*d*) submit to the Congress by June 1985 a proposal for monitored retrievable storage of spent fuel and high-level radioactive wastes at at least five candidate alternative sites. The act provides a mechanism by which State governments and Indian tribes can participate in health and safety matters relating to these activities.

Oil price decontrol

As noted, early in the 97th Congress, the committee focused attention to the decontrol of crude oil by the President on January 28, 1982. The President's action in that decontrol was sustained by the Senate.

Reclamation Reform Act of 1982

As discussed under Subcommittee on Water and Power, after years of often rigorous debate the Congress completed action on long-awaited reclamation law reform. The Reclamation Reform Act of 1982 (title II of Public Law 97–293) provided for an increase in the basic ownership interests to which Federal reclamation water may be supplied and a formula for full cost payment by larger farming operations. The act provides that certain benefits of the new law, which include an ownership limitation of 960 acres and the application of equivalency, would be available to irrigators in districts having existing contracts only if the district agrees to amend its contract to provide for the payment of full cost by larger farming operations in excess of 960 acres. Individuals in the district may make such an election if the district does not do so. The act also provides disincentives for those districts not amending their contracts.

In addition the act imposes an obligation upon the districts to develop a water conservation plan and a time table for meeting water conservation objectives.

Strategic petroleum reserve

During the 97th Congress the full committee, and the Subcommittee on Energy and Mineral Resources, conducted a continuous review of the status of the strategic petroleum reserve from the standpoint of oil in storage; capacity constraints and fill rates; and drawdown and distribution of reserve SPR oil during an emergency.

The Reserve was created by the Energy Policy and Conservation Act (Public Law 94–163), signed into law on December 22, 1975. Predicated by concern for national security, the objective of the reserve is to reduce the U.S. vulnerability to severe interruptions of petroleum supplies through the acquisition and storage of up to 1 billion barrels of crude oil. The initial storage target for the reserve was 500 million barrels by 1982. The Congress subsequently approved the implementation of a 750 million barrel reserve but deferred the decision on the timing and method for the final 250 million barrel increment. Subsequently the Energy Security Act (Public Law 96–294) directed the President to immediately undertake, and therefore continue, crude oil acquisition, transportation, and injection activi-

ties at a minimum rate of 100,000 barrels per day during fiscal year 1981 and beyond.

One of the early issues faced by the 97th Congress was the SPR fill rate because of its budgetary implications. The committee and the Congress supported the requisite fiscal year 1982 appropriations to fill the then existing reserve capacity by the end of 1982. This objective was also supported by President Reagan. And the committee in its March 20, 1981, report to the Senate Budget Committee stated:

> The committee supports President Reagan's budgetary totals for programs within its jurisdiction as contained in the administration's proposed budget for fiscal year 1982. Further it is the sense of the committee, in the case of funding for the strategic petroleum reserve, that the committee will move expeditiously to consider and report an alternative off-budget funding mechanism. When such an alternative mechanism is developed by the Committee on Energy and Natural Resources, or any other committee, and is enacted into law, we will support an appropriate reduction in authorizations and appropriations for the strategic petroleum reserve.

Subsequently, the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35) provided an off-budget funding mechanism for reserve petroleum purchases. The act also directed the President to seek to fill the reserve at an annual average fill rate of at least 300,000 barrels per day until 750 million barrels are in storage.

During its review of energy preparedness the committee concluded that the strategic petroleum reserve is the only ready, viable response the United States currently has to respond to an energy supply disruption. This conclusion was supported by the General Accounting Office, which conducted a parallel review of the DOE energy emergency contingency planning, and concluded in testimony before the full committee on May 6, 1982, that: "* * * in the final analysis, it may well be that DOE's approach to contingency planning for everything except military situations is still little more than the SPR."

Therefore the Energy Emergency Preparedness Act of 1982 (Public Law 97–229) required the President to fill the reserve at an average annual rate of at least 300,000 barrels per day until 500 million barrels are in storage, unless he finds that compliance with such rate would not be in the national interest for good cause. Upon such finding the minimum rate would be at least 220,000 barrels per day. A higher rate is required if appropriated funds are available in a given fiscal year. In support of these fill rates, the act authorizes the storage of petroleum in interim storage.

In addition, the act required the President to transmit three reports to the Congress regarding the reserve: (*a*) a new drawdown plan and distribution report, by December 1, 1982; (*b*) a regional reserve report by December 31, 1982; and (*c*) a strategic alcohol fuel reserve report by December 31, 1982.

Territorial affairs

The committee exercised its jurisdiction over territories and insular affairs in several areas. The Fourth Constitution of the Virgin Islands was approved for submission to the voters by Public Law 97-21.

Legislation was also enacted to strengthen the audit function in the territories by transferring the Federal comptrollers in the territories to the Office of the Inspector General of Interior, providing the voters in Guam the right of initiative and recall, clarifying the applicability of the Federal Tort Claims Act to the Northern Marianas, authorizing a National Park Service inventory of the resources of the trust territory, authorizing funds for an Eastern Caribbean Center in the Virgin Islands as well as for juvenile detention facilities and water and power improvements in the Virgin Islands and port development and health facilities in Guam, providing Postal and Customs Service assistance to the Virgin Islands, amending the Federal Water Pollution Control Act as it affects Puerto Rico, and revising the procedure for submission of deficit elimination plans from Guam and the Virgin Islands in Public Law 97–357.

The committee also conducted hearings on the recommendations of the Interim Report of the Northern Marianas Commission on Federal Laws affecting citizenship and application of the Clean Air Act and continued its oversight of the Micronesian status negotiations and the negotiations to develop a minerals regime in Antarctica.

Three Mile Island

During the second session the committee reported S. 1606, the Electric Utility Nuclear Accident Cost Allocation Act. As reported, the bill established a limited term, national program to equitably distribute a portion of the uninsured cost of the cleanup of Three Mile Island Unit (2(TMI–2) among those electric utilities that benefit from nuclear generation, specifically, those utilities with an ownership interest in one or more operating nuclear electric generating plants. No further action was taken.

MEASURES ENACTED INTO LAW

Public Law 97–5 (H.R. 2166), Mr. Sharp and Mr. Brown of Ohio: An act to amend the Energy Policy and Conservation Act to extend certain authorities relating to the international energy program. (Also see S. 573.)

Public Law 97–21 (H.J. Res. 238), Mr. deLugo, et al.: A joint resolution to approve a constitution for the U.S. Virgin Islands. (Also see S.J. Res. 71.)

Public Law 97–35 (H.R. 3982), Omnibus Budget Reconciliation Act of 1981. (See S. 1377 and S. 1021; also see S. 998, Energy and Minerals Subcommittee.)

Public Law 97–50 (S. 1475), Mr. McClure and Mr. Jackson: An act to amend the expiration date of section 252 of the Energy Policy and Conservation Act.

Public Law 97–93 (S.J. Res. 115), Mr. Cohen and Mr. Mitchell: An act to approve the President's recommendation for a waiver of law pursuant to the Alaska Natural Gas Transportation Act of 1979.

Public Law 97–190 (S. 2575), Mr. McClure: An act to extend the expiration date of section 252 of the Energy Policy and Conservation Act.

Public Law 97–217 (S. 2651), Mr. McClure (by request): An act to extend the expiration date of section 252 of the Energy Policy and Conservation Act.

Public Law 97–229 (S. 2332), Mr. McClure: Energy Emergency Preparedness Act of 1982.

Public Law 97–357 (H.R. 5139), Mr. Won Pat, et al.: 1982 Omnibus Territory Authorization Act. (See S. 1674.)

Public Law 97–425 (H.R. 3809), Mr. Udall: National Nuclear Waste Policy Act of 1982. (Also see S. 1662.)

Public Law 97–451 (H.R. 5121), Mr. Markey: Federal Oil and Gas Royalty Management Act of 1982. (Also see S. 2305.)

MEASURES ACTIVELY CONSIDERED

S. 409, Mr. Johnston, Mr. Pell, Mr. Exon, Mr. Andrews, and Mr. Zorinsky: A bill to provide specific standby authority to deal with petroleum supply interruptions, and for other purposes. (Full committee markup.) (See S. 1503.)

S. 573, Mr. McClure (by request): A bill to extend the expiration date of section 252 of the Energy Policy and Conservation Act. (Indefinitely postponed by the Senate.) (See Public Law 97–5.)

S. 637, Mr. Johnston and Mr. Jackson: A bill to establish a program for Federal storage of spent fuel from civilian nuclear powerplants, to set forth a Federal policy and initiate a program for the disposal of nuclear waste from civilian activities, and for other purposes. (Hearings held.) (See Public Law 97–425.)

S. 980, Mr. Lugar and Mr. Ford: A bill to repeal the incremental pricing provisions of the Natural Gas Policy Act of 1978, and for other purposes. (Hearings held.)

S. 1021, Mr. McClure (by request) and Mr. Heinz: A bill to authorize appropriations to the Department of Energy for civilian programs for fiscal year 1982 and fiscal year 1983, and for the purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–35.)

S. 1354, Mr. Bradley, Mr. Percy, Mr. Cannon, and Mr. Weicker: A bill to provide standby authority to deal with petroleum supply disruptions, and for other purposes. (Full committee markup.) (See S. 1503.)

S. 1377, Mr. Domenici: A bill to provide for reconciliation pursuant to title III of the first concurrent resolution on the budget for fiscal year 1982 (H. Con. Res. 115.) (Title V contains the recommendations of the Committee on Energy and Natural Resources to the Committee on the Budget.) (Hearings held.) (See Public Law 97–35.)

S. 1476, Mr. Durenberger, Mr. Andrews, Mr. Grassley, Mr. Baucus, Mr. Burdick, M. Exon, Mr. Kasten, Mr. Metzenbaum, Mr. Pressler, Mr. Pryor, Mr. Riegle, Mr. Zorinsky, Mr. Levin, Mr. Abdnor, Mr. Boschwitz, and Mr. Boen: A bill to provide standby authority to deal with petroleum supply disruptions, and for other purposes. (Full committee markup.) (See S. 1503.)

S. 1503, Mr. McClure and Mr. Baucus: A bill to authorize the President to allocate supplies of crude oil and petroleum products during a severe petroleum supply shortage. (Presidential veto sustained by the Senate.)

S. 1512, Mr. McClure (by request): A bill to extend the expiration date of section 252 of the Energy Policy and Conservation Act. (Full committee markup.) (See Public Law 97–50.)

S. 1544, Mr. McClure and Mr. Domenici: The State and Local Energy Block Grant Act of 1981. (Hearings held.)

S. 1606, Mr. Heniz and Mr. Specter: A bill to establish a supplemental insurance fund administered by the Secretary of Energy to pay the costs of necessary remedial action following damage to nuclear powerplants, including certain remedial action at the Three Mile Island facilities in Pennsylvania, to require participation in such fund by the licensees of nuclear powerplants as a condition for the licensing and continued operation of such powerplants, and for other purposes. (Reported to the Senate, amended.)

S. 1662, Mr. McClure. Mr. Stafford, Mr. Domenici, Mr. Simpson, and Mr. Symms: A bill to establish a limited program for Federal storage of spent fuel from civilian nuclear powerplants, to set forth a Federal policy, initiate a program, and establish a nat..al schedule for the disposal of nuclear waste from civilian activities, and for other purposes. (Passed the Senate, amended.) (See Public Law 97–425)

S. 1674, Mr. Weicker: A bill to amend or repeal certain provisions of the organic acts applicable to the Virgin Islands, and for other purposes. (Hearing held.) (See Public Law 97–357.)

S. 1844, Mr. Johnston, Mr. Weicker, Mr. Bradley, Mr. Murkowski, Mrs. Hawkins, Mr. Matsunaga, Mr. Bumpers, Mr. Goldwater, Mr. Humphrey, Mr. Nickles, Mr. Boren, Mr. Levin, Mr. Stevens, and Mr. DeConcini. A bill to facilitate the national distribution and utilization of coal. (Reported to the Senate, amended.)

S. 1867, Mr. McClure, Mr. Jackson, Mr. Abdnor, Mr. Domenici, Mr. Goldwater, Mr. Hatch, Mr. Hayakawa, Mr. Laxalt, Mr. Simpson, Mr. Symms, Mr. Wallop, Mr. Armstrong, and Mr. DeConcini: A bill to amend and supplement the acreage limitation and residency provisions of the Federal reclamation law, as amended and supplemented, and for other purposes. (Passed the Senate, amended.) (See Public Law 97–293, Water and Power Subcommittee.)

S. 2074, Mr. Johnston and Mr. Long: A bill to provide for the elimination of certain artificial restrictions on the consumption of natural gas, to provide for the elimination of certain restrictions on the sale and transmission of gas, to provide for the phased elimination of Federal price controls on natural gas, to provide remedies for certain contract provisions, and for other purposes. (Hearings held.)

S. 2088, Mr. McClure (by request): A bill to require treatment of citizens of the Northern Mariana Islands as citizens of the United States of America for purposes of particular Federal statutes. (Hearings held.)

S. 2089, Mr. McClure (by request): A bill to clarify the applicability of the Federal Tort Claims Act to claims arising in the Northern Mariana Islands. (Hearing held.)

S. 2090, Mr. McClure (by request): A bill to amend the application of the Clean Air Act to the Northern Mariana Islands. (Hearing held.)

S. 2305, Mr. McClure (by request): A bill to insure that all energy and mineral resources originating on the public lands and on the Outer Continental Shelf are properly accounted for under the direction of the Secretary of the Interior, and for other purposes. (Considered by the Senate.) (See Public Law 97–451.)

S. 2632, Mr. Weicker and Mr. Hayakawa: A bill to authorize the Government or American Samoa to issue bonds and other obligations and for other purposes. (Reported to the Senate, amended.)

S. 2633, Mr. Weicker: A bill to amend the Organic Act of Guam and the Revised Organic Act of the Virgin Islands to transfer the audit authority and related staff of the offices of the Government comptrollers for Guam, the Virgin Islands, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and American Samoa to the Office of Inspector General, Department of the Interior, and for other related purposes. (Hearing held.)

S. 2729, Mr. Weicker: A bill to amend or repeal certain provisions of the Organic Acts applicable to the Virgin Islands, and for other purposes. (Hearing held.)

S. 2888, Mr. McClure: A bill to direct the President to prepare and submit an annual report on the state of the insular areas to Congress, and for other purposes. (Hearing held.)

S. 2829, Mr. Jepsen and Mr. Grassley: A bill to clarify the definition of abuse in the Natural Gas Policy Act. (Hearing held.)

S. 3054, Mrs. Kassebaum and Mr. Andrews. A bill to amend the Natural Gas Policy Act of 1978, and for other purposes. (Hearing held.)

S. 3070, Mr. Danforth and Mr. Eagleton: A bill to prohibit certain anticompetitive clauses in natural gas contracts, and for other purposes. (Hearing held.)

S. 3076, Mr. Specter, Mr. Boschwitz, Mr. Grassley, Mr. Dixon, and Mr. Percy. A bill to provide a temporary means to correct imbalances in the natural gas market in order to restrain prices charged to natural gas users. (Hearing held.)

S. 3077, Mr. Eagleton: A bill to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes. (Hearing held.)

S. 3800, Mr. Chafee and Mr. Pell: A bill to create competitive conditions in natural gas pricing by prohibiting certain anticompetitive clauses in natural gas contracts. (Hearing held.)

S. Res. 515, Mr. McClure, Mr. Exon, Mr. Johnston, Mr. Warner, Mr. Dole, and Mr. Robert C. Byrd: A resolution relating to the need to provide natural gas consumers with relief from rapidly increasing natural gas prices. (Agreed to by the Senate without referral to Committee.)

S.J. Res. 71, Mr. McClure (by request): A joint resolution to approve a constitution of the Virgin Islands, and for other purposes. (Full committee markup.) (See Public Law 97–21.)

S.J. Res. 111, Mr. McClure, Mr. Jackson, Mr. Melcher, Mr. Heinz,

Mr. Nickles, and Mr. Wallop. A joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas. (Passed the Senate.) (Referred to the House Energy and Commerce Committee.)

H.R. 5539, Mr. Udall, et al.: A bill to amend and supplement the Federal reclamation laws, and for other purposes. (See Public Law 97–293, Water and Power Subcommittee.)

Subcommittee on Energy Conservation and Supply

Lowell P. Weicker, Jr., Connecticut, *Chairman*

Mark O. Hatfield, Oregon
Gordon J. Humphrey, New Hampshire
John P. East, North Carolina
John Heinz, Pennsylvania
Howard M. Metzenbaum, Ohio
Spark M. Matsunaga, Hawaii
Paul E. Tsongas, Massachusetts
Bill Bradley, New Jersey

JURISDICTION

During the 97th Congress the jurisdiction of the Subcommittee on Energy Conservation and Supply included oversight and legislative responsibilities for Federal energy conservation programs; energy information; commercialization of new technologies (e.g. wind, solar, ocean thermal energy conversion); deep water ports; liquified natural gas projects; low head hydro; OCS leasing; and deep seabed mining.

OVERSIGHT ACTIVITIES

During the 97th Congress the Subcommittee on Energy Conservation and Supply held 3 days of oversight hearings on:

Outer Continental Shelf oil and gas development and Leasing Plan (21 days); and

Department of Energy conservation programs for fiscal year 1983 (1 day).

Throughout the 97th Congress the subcommittee conducted oversight of the Outer Continental Shelf oil and gas leasing and development programs.

LEGISLATIVE ACTIVITIES

During the 97th Congress, seven Senate bills, one Senate resolution, one Senate joint resolution, and one House bill were referred to the Subcommittee on Energy Conservation and Supply.

Initial emphasis on the subcommittee was devoted to oversight of programs within its jurisdiction. The subcommittee held one day of hearings on the Department of Energy Civilian Programs Authorization Act of 1982 and 1983 (S. 1021). The subcommittee also participated in the congressional budgetary initiatives which culminated in enactment of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35). That act authorized reductions in Federal energy conservation programs, including State and local government grant programs.

However, the committee recommended, and the Congress supported, a basic minimum level of funding in fiscal year 1982 in excess of that

recommended by the Reagan administration for Federal energy conservation programs. In its subsequent recommendation to the Senate Budget Committee on the fiscal year 1983 budget, the committee also recommended that energy conservation programs be continued at the fiscal year 1982 levels of program activity (including fiscal year 1981 deferrals).

In addition, in order to improve the cost-effectiveness of State and local energy conservation programs, including low-income weatherization programs, the subcommittee, and the full committee, conducted extensive oversight and legislative hearings. These hearings also examined the feasibility of State energy conservation block grants as a substitute for categorical grant programs. Legislation considered included S. 1166, the National Home Weatherization Act of 1981, and S. 1544, the State and Local Energy Block Grant Act of 1981.

In addition the subcommittee held a hearing on S. 506, a bill to reinstate and validate certain U.S. oil and gas leases.

MEASURES ENACTED INTO LAW

Public Law 97–35 (Omnibus Reconciliation Act of 1981), title X—energy and related programs, subtitle A—Department of Energy Authorizations. (See S. 1021.)

OTHER MEASURES ACTIVELY CONSIDERED

S. 506, Mr. Hayakawa, Mr. Wallop, Mr. Tower, Mr. Stevens, Mr. Bentsen, Mr. Cranston, Mr. Hart, Mr. Simpson, Mr. Hatch, Mr. Boren, and Mr. Armstrong: A bill to reinstate and validate U.S. oil and gas leases numbered OCS–P–0218 and OCS–P–0226. (Hearing held and full committee markup.)

S. 1021, Mr. McClure (by request) and Mr. Heinz: A bill to authorize appropriations to the Department of Energy for civilian programs for fiscal year 1982 and fiscal year 1983, and for other purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–35, full committee.)

S. 1166, Mr. Weicker, Mr. Hatfield, Mr. Heinz, Mr. Wallop, Mr. Bumpers, Mr. Metzenbaum, Mr. Matsunaga, Mr. Specter, and Mr. Percy: A bill to provide weatherization assistance to States in the form of energy grants. (Hearing held.)

Subcommittee on Energy and Mineral Resources

John W. Warner, Virginia, *Chairman*

John Heinz, Pennsylvania
Gordon J. Humphrey, New Hampshire
Malcolm Wallop, Wyoming
Frank H. Murkowski, Alaska
Spark M. Matsunaga, Hawaii
J. Bennett Johnston, Louisiana
Dale Bumpers, Arkansas
Bill Bradley, New Jersey

JURISDICTION

The jurisdiction of the Subcommittee on Energy and Mineral Resources includes oversight and legislative responsibilities for energy

and nonfuel mineral resources; Federal mineral leasing; mining policy and general mining laws; surface mining; petroleum reserves; strategic petroleum reserves; coal production, distribution, and utilization; oil and gas production and distribution; mining education and research; mineral extraction from public lands; and mining claims and mineral conservation.

OVERSIGHT ACTIVITIES

During the 97th Congress, the Subcommittee on Energy and Mineral Resources held 18 days of oversight hearings on:

Anthracite coal shortages (1 day);
Federal coal leasing effect in Montana (1 day);
Strategic minerals and materials (5 days);
Strategic petroleum reserve (6 days);
Surface mining control and reclamation (1 day); and
World coal export market (4 days).

The subcommittee conducted a comprehensive review of the world coal export market and the condition of America's ports.

The subcommittee examined the Federal Government's role in coal ports and initiatives being taken by industry and State and local governments to improve American coal ports, as well as the domestic and international coal transportation infrastructure. Particular attention was devoted to the interest shown by Pacific rim nations in American (including Alaskan) coal production.

In addition, the subcommittee convened extensive oversight hearings on strategic mineral and materials programs.

The emphasis of the subcommittee's activities was on implementation of the National materials and minerals policy, Research and Development Act of 1980. Particular attention was devoted to examination of the relevant factors which caused or contributed to the U.S. current unacceptable level of dependency on foreign sources for strategic and critical minerals and material needs.

LEGISLATIVE ACTIVITIES

During the 97th Congress 37 Senate bills, one Senate resolution, and five House bills were either referred to the subcommittee or handled on the floor of the Senate without committee referral. Public hearings were held on 31 of these measures.

Sixteen measures referred to the subcommittee were reported favorably by the full committee. Fifteen measures under the subcommittee's jurisdiction were passed by the Senate, three of them became public laws, and two became private laws.

During the 97th Congress the subcommittee held 18 days of legislative hearings on the following matters:

Strategic petroleum reserve legislation (5 days);
Geothermal leasing amendments (1 day);
Naval petroleum reserve legislation (1 day);
Oil shale leasing amendments (1 day);
Tar sands legislation (1 day);;
Other amendments to the Mineral Leasing Act (5 days); and
Miscellaneous private relief measures (4 days).

The subcommittee's legislative activities during the 97th Congress led to enactment of (*a*) Strategic Petroleum Reserve amendments; (*b*) tar sands leasing reforms (Public Law 97–78); and (*c*) reauthorization of the Deep Seabed Hard Minerals Resources Act for fiscal years 1983, 1984, and 1985 (Public Law 97–416). In addition, the 97th Congress saw enactment of several private relief measures, indicated below.

Federal Oil and Gas Royalty Management Act of 1982

Because of the efforts of the subcommittee, in conjunction with the full committee, during the second session the Congress enacted the Federal Oil and Gas Royalty Management Act of 1982 (Public Law 97–451, full committee) to improve the collection of Federal royalty and lease payments derived from oil and gas resources. This legislative initiative was intended to improve the collection of Federal royalty and lease payments derived from certain natural resources. The act established in one statute the generic authority for an effective royalty management system.

Strategic petroleum reserve

During the first session the subcommittee, and the full committee conducted a continuous review of the status of the strategic petroleum reserve from the standpoint of oil in storage; capacity constraints and fill rates; and drawdown and distribution of reserve SPR oil during an emergency. (See earlier full committee discussion.)

This effort led to the inclusion in the Omnibus Reconciliation Act of 1981 (Public Law 97–35) of an off-budget funding mechanism for reserve petroleum purchases. The act also directed the President to seek to fill the reserve at an annual average fill rate of at least 300,000 barrels per day until 750 million barrels are in storage.

Subsequently in the Energy Emergency Preparedness Act of 1982 (Public Law 97–229) the President was required to fill the reserve at an average annual rate of at least 300,000 barrels per day until 500 million barrels are in storage, unless he finds that compliance with such rate would not be in the national interest for good cause. Upon such finding the minimum rate would be at least 220,000 barrels per day. A higher rate is required if appropriated funds are available in a given fiscal year. In support of these fill rates the Act authorizes the storage of petroleum in interim storage.

In addition, the act requires the President to transmit three reports to the Congress regarding the Reserve: (*a*) a new drawdown plan and distribution report, by December 1, 1982; (*b*) a regional reserve report by December 31, 1982; and (*c*) a Strategic alcohol fuel reserve report by December 31, 1982.

Tar sands

The 97th Congress saw enactment of Public Law 97–78 which amended the Mineral Lands Leasing Act of 1920 and the Mineral Leasing Act for Acquired Lands to facilitate and encourage the production of oil from tar sands and other hydrocarbon deposits. The act established a combined hydrocarbon lease to remedy difficulties associated with distinguishing between oil and tar sands. The act defines "special tar sand areas" anad established applicable acreage limitations, royalty rates, and primary leasing terms. In addition,

the act allows owners of certain oil and gas leases, and individuals having valid claims on other hydrocarbon resources, to convert their leases to combined hydrocarbon leases. In order to promote the development and maximum production of oil from tar sands, the Secretary of the Interior is required to review the royalty rates established in each hydrocarbon lease issued in special tar sands areas.

MEASURES ENACTED INTO LAW

Public laws

Public Law 97–78 (H.R. 3975), Mr. Santini, et al.: An act facilitating and encouraging the production of oil from tar sand and other hydrocarbon deposits. (Also see S. 1575).

Public Law 97–94 (H.R. 4591), Mr. Hammerschmidt: an act to Amend the Mineral Leasing Act to provide that receipts derived from mineral leases on military and naval lands to be treated the same as receipts from other Federal lands. (Also see S. 859).

Public Law 97–416 (H.R. 6120), Mr. Jones of North Carolina: An act to reauthorize the Deep Seabed Hard Minerals Resources Act for fiscal years 1983, 1984, and 1985.

Private laws

Private Law 97–43 (S. 2146), Mr. Garn and Mr. Hatch: An act extending the lease terms of U.S. oil and gas leases numbered W66245, W66246, W66247, and W66250.

Private Law 97–55 (H.R. 5826), Mr. Edwards of Oklahoma: An act to provide for the reinstatement and validation of U.S. oil and gas lease numbered W–24153.

OTHER MEASURES ACTIVELY CONSIDERED

S. 383, Mr. Andrews and Mr. Burdick: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered M–16402 (ND) Acq. (Referred to the House Interior and Insular Affairs Committee.)

S. 466, Mr. Burdick and Mr. Andrews: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered M–15450 (ND). (Referred to the House Interior and Insular Affairs Committee.)

S. 651, Mr. Wallop and Mr. Bentsen: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered W–46102. (Referred to the House Interior and Insular Affairs Committee.)

S. 669, Mr. Jackson: A bill to amend the existing geothermal leasing and permitting laws, and for other purposes. (Hearings held.)

S. 707, Mrs. Kassebaum: A bill to provide for certain importers of crude oil and contribute to the Strategic Petroleum Reserve. (Hearings held and full committee markup.) (See S. 998.)

S. 859, Mr. Bumpers, Mr. Pryor, and Mr. Warner: A bill to amend the mineral leasing laws of the United States to provide for uniform treatment of certain receipts under such laws and for other purposes. (See Public Law 97–94).

S. 998, Mr. McClure and Mr. Warner: A bill to amend the Energy Policy and Conservation Act and the Energy Security Act to improve

the administration of the strategic petroleum reserve, to provide for transition in fiscal year 1982 to an alternative off-budget funding mechanism for financing the purchase of petroleum for the Strategic Petroleum Reserve, and for other purposes. (See Public Law 97–35.)

S. 1032, Mr. Jackson: A bill to amend section 21 of the act of February 25, 1920, commonly known as the Mineral Leasing Act. (Hearing held.) (See S. 1484.)

S. 1073, Mr. Armstrong, Mrs. Hawkins, Mr. Garn, Mr. Hatch, Mr. Simpson, Mr. Symms, Mr. Wallop, and Mr. Dole: A bill to amend section 21 of the act of February 25, 1920, commonly known as the Mineral Leasing Act. (Hearing held.) (See S. 1484.)

S. 1343, Mr. Domenici: A bill to amend the Energy Policy and Conservation Act to modify the oil acquisition program of the strategic petroleum reserve in order to decrease the cost of acquisition to the Government for oil to be stored in the reserve, and for other purposes. (Hearing held.) (See S. 998.)

S. 1383, Mr. Hart: A bill to encourage the orderly development of oil shale resources on Federal lands. (Hearing held.) (See S. 1484.)

S. 1457, Mr. Jackson and Mr. Gorton: A bill to reinstate U.S. oil and gas lease numbered OR–13713. (Referred to the House Interior and Insular Affairs Committee.)

S. 1484, Mr. Warner, Mr. McClure, Mr. Wallop, and Mr. Garn: A bill to amend section 21 of the act of February 25, 1920, commonly known as the Mineral Leasing Act. (Reported to the Senate, amended.)

S. 1516, Mr. Warner and Mr. McClure: A bill to amend the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) to expedite exploration and development of geothermal resources. (Hearings held.)

S. 1542, Mr. McClure and Mr. Jackson: A bill to amend the Mineral Lands Leasing Act of 1920. (Hearing held and full Committee markup.)

S. 1575, Mr. Wallop, Mr. Garn, Mr. Domenici, Mr. Hatch, Mr. Nickles, Mr. Simpson, Mr. Warner, Mr. Johnston, and Mr. Stevens: The Combined Hydrocarbon Leasing Act of 1981. (Full committee markup.) (See Public Law 97–78.)

S. 1605, Mr. Johnston: A bill to provide for the reinstatement and validation of U.S. oil and gas lease No. E.S. 20644. (Referred to the House Interior and Insular Affairs Committee.)

S. 1660, Mr. Wallop: A bill to validate certain oil placer mining claims in Hot Springs County, Wyo. (Referred to the House Interior and Insular Affairs Committee.)

S. 1877, Mr. Domenici and Mr. Schmitt: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered NM–12846. (Referred to the House Interior and Insular Affairs Committee.)

S. 1908, Mr. Nickles and Mr. Boren: A bill to provide for the reinstatement and validation of U.S. oil and gas lease NM–A26947 (Oklahoma). (Referred to the House Interior and Insular Affairs Committee.)

S. 1909, Mr. Nickles and Mr. Boren: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered W–24153. (Referred to the House Interior and Insular Affairs Committee.) (See Private Law 97–55.)

S. 1941, Mr. Tower: A bill to provide for the reinstatement and validation of U.S. oil and gas leases numbered NH–25447 and NM–25452. (Referred to the House Interior and Insular Affairs Committee.)

S. 2063, Mr. Murkowski and Mr. Stevens: A bill to amend the Naval Petroleum Reserves Production Act of 1976 to authorize the Secretary of the Interior to permit entities to extract and use coal from lands within the National petroleum reserve in Alaska for heat and generation of electricity. (Hearing held.)

S. 2095, Mr. Domenici: A bill to direct the Secretary of the Interior to issue a certain oil and gas lease to the Ballard E. Spencer Trust, Inc., New Mexico. (Hearing held.)

S. 2481, Mr. Tower: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered W–61985. (Referred to the House Interior and Insular Affairs Committee.)

S. 2503, Mr. Domenici: A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of a certain oil and gas lease. (Hearing held.)

S. 2680, Mr. Garn: A bill to provide for the reinstatement of U.S. oil and gas lease numbered U–26485, and U–26505. (Hearing held.)

S. 2681, Mr. Garn and Mr. Hatch: A bill to provide for the reinstatement and validation of U.S. oil and gas lease numbered U–14654. (Hearing held.)

S. 2704, Mr. Murkowski: A bill to amend the Mineral Lands Leasing Act of 1920, and for other purposes. (Hearing held.)

S. 2824, Mr. Domenici: A bill to provide for the reinstatement of an oil and gas lease in Eddy County, N. Mex. (Hearing held.)

Subcommittee on Energy Regulation

Gordon J. Humphrey, New Hampshire, *Chairman*

Don Nickles, Oklahoma	J. Bennett Johnston, Louisiana
Pete V. Domenici, New Mexico	Wendell H. Ford, Kentucky
John P. East, North Carolina	Howard M. Metzenbaum, Ohio
John Heinz, Pennsylvania	John Melcher, Montana

JURISDICTION

The jurisdiction of the Subcommittee on Energy Regulation includes oversight and legislative responsibilities for nuclear insurance and facilities siting; pipelines; coal conversion; regulatory functions of Economic Regulatory Administration (except emergency petroleum allocation); FERC (Federal Energy Regulatory Commission); intergovernmental relations; refinery policy; PIFUA (Powerplant and Industrial Fuel Use Act) and ESECA (Energy Supply and Environmental Coordination Act) amendments; crude oil and petroleum product pricing; and gasoline rationing.

OVERSIGHT ACTIVITIES

During the 97th Congress, the Subcommittee on Energy Regulation held 4 days of oversight hearings on:

Hydroelectric development and licensing procedures (2 days);
Hydroelectric development in New England (1 day); and
World petroleum supply (1 day).

The hearings of the Subcommittee on hydro-electric development and licensing were held jointly with the Subcommittee on Energy and Water

LEGISLATIVE ACTIVITIES

During the 97th Congress, 14 Senate bills and one Senate joint resolution were referred to the subcommittee. Public hearings were held on seven of these measures. In addition the provisions of four Senate bills under the subcommittee's jurisdiction were included in title X of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35, full committee.).

The subcommittee held 7 days of legislative hearings on:

the Department of Energy Civilians Programs Authorization Act for Fiscal Years 1982 and 1983 (S. 1021);

Amendments to the Powerplant and Industrial Fuel Use Act (2 days);

Oil pipeline deregulation (1 day);

Amendments to the Public Utility Regulatory Policies Act of 1978 (2 days); and

Amendments to the Federal Power Act to reduce conflicts in the licensing and to simplify the regulation of hydroelectric powerplants (1 day).

The Omnibus Budget Reconciliation Act of 1982 (Public Law 97–35) contained provisions dealing with several of these issues. For example, that act (title X, subtitle B) contained amendments to the Powerplant and Industrial Fuel Use Act of 1978 concerning fuel use restrictions and natural gas outdoor lighting.

Fuel use restrictions.—That Budget Reconciliation Act limited the issuance of prohibition orders under the Powerplant and Industrial Fuel Use Act to those existing electric powerplants that voluntarily certify that they are eligible for such orders. The Secretary of Energy would not act with respect to existing electric powerplants until there is a certification in effect. This provision would encourage coal use by voluntary powerplant conversions without altering the relationship between the Fuel Use Act and the Clean Air Act (section 1021).

The act (section 1022) also requires electric utilities to develop, submit for approval, and implement a 5-year energy conversion plan that meets the requirements specified. The conferees encouraged utilities to continue the actions taken to assure energy conservation under the plan beyond the 5-year period.

In addition, that Budget Reconciliation Act (section 1021) repealed the provision of the Powerplant and Industrial Fuel Use Act which prohibited after 1990 the use of natural gas by existing electric powerplants.

Outdoor natural gas lighting.—The act also (section 1024) repealed the requirement in the Powerplant and Industrial Fuel Use Act (section 402(b)) that local distribution companies cease to supply natural gas to existing residential outdoor lighting fixtures.

MEASURES ENACTED INTO LAW

Public Law 97–35 (Omnibus Reconciliation Act of 1981), title X (energy and related programs), subtitle B: Powerplant and Industrial Fuel Use Act of 1978 provisions. (Also see S. 332, S. 410, and S. 996.)

OTHER MEASURES ACTIVELY CONSIDERED

S. 332, Mr. Boren and Mr. Nickles: A bill to reform the Powerplant and Industrial Fuel Use Act of 1978 to encourage a reduction of air pollution and oil consumption by existing electric powerplants. (Hearings held.) (See Public Law 97–35, full committee.)

S. 410, Mr. Johnston, Mr. Bentsen, Mr. Tower, Mr. Cranston, Mr. Long, Mr. Boren, Mr. Hayakawa, Mr. Cochran, Mrs. Kassebaum, Mr. Chiles, and Mr. Dole: A bill to reform the Powerplant and Industrial Fuel Use Act of 1978 to encourage a reduction of air pollution and oil consumption by existing electric powerplants and to aid utilities in converting to alternate fuels. (Hearings held.) (See Public Law, 97–35, full committee.)

S. 445, Mr. Mitchell, Mr. Cohen, Mr. Tsongas, Mr. Cranston, Mr. Williams, Mr. Pell, Mr. Chafee, Mr. Sarbanes, Mr. Baucus, Mr. Randolph, Mr. Heflin, and Mr. Levin: A bill to establish a State set-aside system for propane, middle distillates, motor gasoline, residual fuel oil, and aviation fuels, and for other purposes. (Hearings held and full committee markup.) (See S. 1503.) (Full committee.)

S. 811, Mr. Dole, Mr. Nickles, Mr. Johnston, Mr. Bentsen, Mr. Eagleton, Mr. Mattingly, Mr. Percy, Mrs. Kassebaum, Mr. Danforth, Mr. Sasser, Mr. Quayle, Mr. Garn, Mr. Armstrong, Mr. Inouye, Mr. Dixon, Mr. Matsunaga, Mr. Tower, Mr. Specter, and Mr. D'Amato: A bill to amend the Powerplant and Industrial Fuel Use Act of 1978 to permit local distribution companies to continue natural gas service to residential customers for outdoor lighting fixtures for which natural gas was provided on the date of enactment of such act, and other purposes. (See Public Law 97–35.) (Full committee.)

S. 996, Mr. Domenici: A bill to remove artificial impediments on the use of natural gas and to facilitate the transportation of natural gas to end users. (Hearings held.) (See Public Law 97–35, full committee.)

S. 1021, Mr. McClure (by request) and Mr. Heinz: A bill to authorize appropriations to the Department of Energy for civilian programs for fiscal year 1982 and fiscal year 1983, and for other purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–35.)

S. 1626, Mr. Nickles, Mr. Wallop, Mr. Murkowski, Mr. Johnston, Mr. Stevens, Mr. East, Mr. Bentsen, and Mr. Boren: A bill to amend the Department of Energy Organization Act to clarify the jurisdiction of the Federal Energy Regulatory Commission, to reform and improve the regulation of oil pipelines, and for other purposes. (Hearing held.)

S. 1885, Mr. Humphrey and Mr. Johnston: A bill to amend the Federal Power Act and the Public Utility Regulatory Policies Act of 1978 to place electric utilities, including members of registered holding company systems, on the same basis as nonutilities with respect to encouraging their investment in cogeneration and small power production facilities, and for other purposes. (Hearings held.)

S. 1966, Mr. Danforth: A bill to eliminate the unnecessary paperwork and reporting requirements contained in the Public Utility Regulatory Policies Act of 1978. (Hearing held.)

S. 2500, Mr. Humphrey: A bill to amend the Federal Power Act to reduce conflicts in the licensing of hydroelectric powerplants and to

expedite the development of and simplify the regulation of hydroelectric powerplants, and for other purposes. (Hearing held.)

Subcommittee on Energy Research and Development

Pete V. Domenici, New Mexico, *Chairman*

John P. East, North Carolina	Wendell H. Ford, Kentucky
Don Nickles, Oklahoma	J. Bennett Johnston, Louisiana
Lowell P. Weicker, Connecticut	Dale Bumpers, Arkansas
John W. Warner, Virginia	Paul E. Tsongas, Massachusetts

JURISDICTION

The jurisdiction of the Subcommittee on Energy Research and Development includes oversight and legislative responsibilities for nuclear R&D; coal and synfuels R&D, except nonnuclear commercialization projects; nuclear fuel cycle policy, including uranium resources; Synthetic Fuels Corporation; and new technologies R&D (e.g. solar, OTEC, and MHD).

OVERSIGHT ACTIVITIES

During the 97th Congress the Subcommittee on Energy Research and Development held seven days of oversight hearings on:

Department of energy research and development programs for fiscal year 1983 (4 days);
Domestic uranium mining and milling industry (1 day);
Photovoltaics program (1 day); and
Uranium enrichment program (1 day).

Throughout the 97th Congress the subcommittee conducted oversight hearings on proposed fiscal year 1982 and 1983 budgets for the Department of Energy research and development programs, and uranium enrichment.

In addition, the subcommittee conducted a continuing review of the activities of the Synthetic Fuels Corporation during hearings on the proposed budgets for fiscal years 1982 and 1983.

LEGISLATIVE ACTIVITIES

During the 97th Congress five Senate bills, one Senate resolution, and one Senate joint resolution were referred to the subcommittee.

The subcommittee held 5 days of legislative hearings on the Department of Energy Civilian Program Authorization Act for fiscal years 1982 and 1983 (S. 1021), which was reported by the committee on May 15, 1981. Provisions of this measure subsequently were enacted in title X of the Omnibus Reconciliation Act of 1981 (Public Law 97–35). (See full committee discussion.)

That act, for the first time, among other things, provided multiyear authorization of the research and development program of the Department of Energy for the 3 fiscal years 1982, 1983, and 1984.

MEASURES ENACTED INTO LAW

Public Law 97–35 (Omnibus Reconciliation Act of 1981), Title X, Subtitle A—Department of Energy Authorization.

OTHER MEASURES ACTIVELY CONSIDERED

S. 1021, Mr. McClure (by request) and Mr. Heinz: A bill to authorize appropriations to the Department of Energy for civilian programs for fiscal year 1982 and fiscal year 1983, and for other purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–35.)

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

MALCOLM WALLOP, Wyoming, *Chairman*

MARK O. HATFIELD, Oregon
JOHN W. WARNER, Virginia
FRANK H. MURKOWSKI, Alaska
PETE V. DOMENICI, New Mexico
DALE BUMPERS, Arkansas
HOWARD M. METZENBAUM, Ohio
SPARK M. MATSUNAGA, Hawaii
JOHN MELCHER, Montana

JURISDICTION

The jurisdiction of the Subcommittee on Public Lands and Reserved Water includes oversight and legislative responsibilities for BLM lands (timber, range wildlife, and recreation management); national forests lands; parks; wilderness; wild and scenic rivers; Alaska Native Claims Settlement Act; reserved water rights; MX missile land withdrawal; national recreation areas; national monuments; historic sites; military parks and battlefields; national trail system; land and water conservation fund; creation of wildlife refuges on public lands; historic preservation; renewable resources; and, on the public domain, preservation of prehistoric ruins and objects of interest.

OVERSIGHT ACTIVITIES (INCLUDING WORKSHOPS)

During the 97th Congress, the Subcommittee on Public Lands and Reserved Water held 6 days of oversight hearings or workshops on:

Montana wilderness proposals (1 day);
Land protection alternatives (1 day);
Workshop on land protection and management (2 days); and
Workshop on public land acquisition and alternatives (2 days).

Emphasis of the subcommittee's oversight activities was on public land acquisition and alternatives. The subcommittee, in conjunction with the full committee, early in the 97th Congress initiated (*a*) oversight of the Federal natural resource budget; (*b*) Federal property management; and (*c*) certain Federal land policy issues.

Subsequently 4 days of workshops, noted above, also were held by the subcommittee on public land acquisition and alternatives. The first workshop, in 1981, dealt with public land acquisition and alternatives. The 1982 workshop, on land protection and management had dual purposes: First, the examination in greater depth of some of the problems and proposed solutions that developed in the first workshop, and, second, examination of new equally important land-related issues by the distinguished panelists. For example, the workshop thoroughly examined a concept paper dealing with tax law changes that could bring about more protection of significant landscapes without the need for fee acquisition by Federal or other levels of govern-

ment. Subsequently, in the forward of the proceedings, Chairman Wallop indicated that pertinent legislation would be introduced early in the 98th Congress.

The subcommittee also devoted considerable attention to the effect of proposed budget on programs within its jurisdiction. However, as noted earlier, the committee in its fiscal year 1983 recommendations to the Senate Budget Committee supported the President's proposed aggregate appropriations for programs of the Department of the Interior. However, within such aggregate fiscal year 1983 budget authority the committee:

Supported "continuation of the following programs at fiscal year 1982 appropriations levels: payments in lieu of taxes; the historic preservation fund; the parks restoration, improvement, and maintenance program; and urban parks";

Supported continuation of the aggregate appropriations from the land and water conservation fund (including the Department of the Interior and Department of Agriculture programs) at the fiscal year 1982 appropriation level; and

Recommended that "some portion of the fiscal year 1983 appropriations from the land and water conservation funds be made available for State matching grant program".

LEGISLATIVE ACTIVITIES

During the 97th Congress, 123 Senate bills, three Senate joint resolutions, 34 House bills, and one House joint resolution were either referred to the subcommittee or handled on the floor of the Senate without committee referral.Thirty-two days of legislative hearings were held on 78 of these measures.

The legislative hearings of the subcommittee included such matters as:

Establishment of American Conservation Corps (1 day)
Indiana Dunes National Lakeshore Act (1 day);
Land and water conservation fund amendments (1 day);
Mount St. Helen's National Volcanic Monument Act of 1982 (2 days);
National forest system legislation (5 days);
National Park Visitor Facilities Fund Act (1 day);
National trails system amendments (1 day);
Protection of John Sack Cabin in the Targhee National Forest, Idaho;
Restoration of the Filene Center in Wolf Trap Farm Park (1 day);
Wild free-roaming horses and burros (1 day);
Wilderness designation legislation (7 days);
Wild and scenic river designations;
Wyoming Wilderness Act of 1982 (2 days).

Fifty measures referred to the subcommittee were reported favorably by the full Committee. Forty-nine measures under the Subcommittee's jurisdiction were passed by the Senate, 33 of them became public law, and 2 became private law. One bill was vetoed by the President.

National park and wilderness systems

In the 97th Congress, as discussed below, the subcommittee completed action on numerous national parks and wilderness proposals, including the National Park Visitor Facilities Fund Act (Public Law 97–433). Also included were establishment of Cheaha Wilderness (Public Law 97–411) Indiana Dunes National lakeshore (Public Law 97–356); and Paddy Creek Wilderness, Missouri (Public Law 97–407).

The activities of the subcommittee also led to the enactment of legislation to designate the Mary McLeod Bethune Council House as a national historic site (Public Law 97–329); protection of the John Sack Cabin, Idaho (Public Law 97–374); provide financial assistance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Farm Park (Public Law 97–310); preservation of historic Camden, S.C. (Public Law 97–184); Crater Lake National Park Boundary Adjustment Act (Public Law 97–250); revise the boundary to Voyageurs National Park, Minn. (Public Law 97–405); as well as various land conveyance and exchange measures.

The subcommittee also completed action on several measures which passed the Senate but did not receive final action by the Congress, including designation of Alben Barkley National Historic Site (S. 2279); designation of the Saint Croix Island International Historic Site (S.J. Res. 155); establishment of Harry S. Truman National Historic Site (S. 3077); Lake Shore Drive, Idaho (S. 982); and preservation and protection of the Georgetown Waterfront for recreational uses (S. 901).

In addition, the committee completed action on the Wyoming Wilderness Act (S. 2118); amendments to the National Trails System Act (H.R. 861); studies of the General Crook Trail and the Beale Wagon Road, in Arizona, for possible designation as national trails (S. 794); the Lee Metcalf Wilderness and Management Area (S. 2110); and the Irish wilderness (S. 1964).

Forest Service programs

In the area of the national forest system, the 97th Congress also saw enactment of the Mount St. Helen's National Volcanic Monument Act of 1982 (Public Law 97–384) and establishment of the Charles C. Deam wilderness in the Hoosier National Forest (Public Law 97–384).

In addition, the committee ordered reported S. 2805, a bill to provide for the orderly termination, extension or modification of certain contracts for the sale of Federal timber.

MEASURES ENACTED INTO LAW

Public laws

Public Law 97–55 (H.R. 618), Mr. Shumway: An act to convey certain interests in public lands to the city of Angels, Calif.

Public Law 97–56 (H.R. 2218), Mr. Santini: An act to direct the Secretary of Agriculture to convey certain national forest system lands in the State of Nevada (Also see S. 512).

Public Law 97–168 (S. 634), Mr. McClure, Mr. Symms, Mr. Wallop, and Mr. Simpson: An act to authorize the exchange of certain lands in Idaho and Wyoming.

Public Law 97–179 (H.R. 2863), Mr. Chappie: An act authorizing the Secretary of Agriculture to sell the portion of the Tahoe National Forest known as Blyth Arena.

Public law 97–184 (S. 146), Mr. Thurmond and Mr. Hollings: An act authorizing the Secretary of the Interior to assist in the preservation of historic Camden in the State of South Carolina.

Public Law 97–211 (S. 1519), Mr. Tsongas: An act designating as wilderness, upon their inclusion in the national wildlife refuge system, lands in the Florida Keys.

Public Law 97–232 (S. 2218), Mr. D'Amato and Mr. Moynihan: An act providing for the development of methane resources at Gateway National Recreation Area by the city of New York (Also see H.R. 5014).

Public Law 97–243 (H.R. 6530), Mr. Bonker: Mount St. Helen's National Volcanic Monument Act of 1982 (Also see S. 2133).

Public Law 97–250 (S. 1119), Mr. Hatfield: Crater Lake National Park Boundary Adjustment Act.

Public Law 97–283 (S. 2405), Mr. Domenici: An act to amend the boundary of the Cibola National Forest to allow an exchange of land with the city of Albuquerque, N. Mex.

Public Law 97–299 (H.J. Res. 207), Mr. Burton: An act requiring the Secretary of the Interior to place a plaque at the U.S. Marine Corps War Memorial honoring Joseph Rosenthal, photographer of the scene depicted by the memorial.

Public Law 97–305 (S. 188), Mr. Melcher: An act directing the Secretary of Agriculture to convey by patent certain lands in the Gallatin National Forest, Mont.

Public Law 97–310 (H.R. 7293), Mr. Wolf: An act providing financial assistance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Fam Park. (Also see S. 1999).

Public Law 97–329 (S. 2436), Mr. Warner, Mr. Mathias, Mr. Matsunaga, Mr. Lugar, Mr. Thurmond, Mr. Dole, Mr. Chiles, Mr. Cranston, Mr. Moynihan, Mr. Metzenbaum, Mr. Baucus, Mr. Tsongas, Mr. Kennedy, Mr. Hollings, and Mr. Hatfield: An act designating the Mary McLeod Bethune Council House as a national historic site. (Also see H.R. 6091).

Public Law 97–335 (S. 1777), Mr. Mitchell and Mr. Cohen: An act providing a permanent boundary on the Isle au Haut portion of Acadia National Park, Maine.

Public Law 97–340 (H.R. 1281), Mr. Young of Alaska: An act providing for the conveyance of certain lands in Alaska comprising trade and trade manufacturing site A–056802 without regard to existing law.

Public Law 97–341 (S. 1872), Mr. Garn and Mr. Hatch: An act providing for grazing permit adjustments for Capitol Reef National Park, Utah.

Public Law 97–356 (H.R. 6029), Mr. Benjamin: Indiana Dunes National Lakeshore Act.

Public Law 97–361 (H.R. 3787), Mr. Broomfield, et al.: An act to amend sections 10 and 11 of the act of October 21, 1970 (Public Law 91–479; U.S.C. 460x), entitled "An act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore." (Also see S. 2755).

Public Law 97–374 (S. 764), Mr. McClure and Mr. Symms: An act to provide for protection of the John Sack Cabin, Targhee National Forest, in the State of Idaho.

Public Law 97–384 (S. 2710), Mr. Lugar and Mr. Quayle: An act to establish a wilderness area in the Hoosier National Forest Area, Ind. (Charles C. Deam Wilderness).

Public Law 97–401 (S. 187), Mr. Melcher: An act to authorize the Secretary of the Interior to convey certain lands near Miles City, Mont., and to remove certain reservations from prior conveyances.

Public Law 97–405 (S. 625), Mr. Durenberger and Mr. Boschwitz: An act to revise the Boundary of Voyageurs National Park in the State of Minnesota, and for other purposes. (Also see H.R. 6240).

Public Law 97–406 (S. 1501), Mr. Stevens and Mr. Murkowski: Educational Mining Act of 1982.

Public Law 97–407 (S. 1965), Mr. Eagleton and Mr. Danforth: Paddy Creek Wilderness Act of 1981.

Public Law 97–411 (S. 2955), Mr. Denton: Cheaha Wilderness Act.

Public Law 97–426 (H.R. 2475), Mr. Shumway, et al: An act to modify withdrawal of certain lands in Mono County, Calif., to facilitate an exchange for certain other lands in Mono County, Calif., and for other purposes.

Public Law 97–431 (H.R. 4568), Mr. Lujan: An act to direct the Secretary of the Interior to release on behalf of the United States certain restrictions contained in previous conveyance of land to the city of Albuquerque, N. Mex., and for other purposes (Also see S. 1978).

Public Law 97–433 (H.R. 7316), Mr. Lujan: National Park Visitor Facilities Fund Act (Also see S. 2715).

Public Law 97–435 (H.R. 6419) Mr. Foley: An act to direct the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University.

Public Law 97–460 (S. 1540), Mr. Moynihan: An act to revise the boundaries of the Saratoga National Historical Park in the State of New York, and for other purposes.

Public Law 97–465 (S. 705), Mr. Domenici, Mr. Hatfield, Mr. Garn, and Mr. Durenberger: An act to authorize the Secretary of Agriculture to convey certain national forest system lands, and for other purposes.

Public Law 97–466 (H.R. 5161), Mr. Benedict, et al: An act to designate certain lands in the Monongehela National Forest, W. Va., as wilderness; and to designate management of certain lands for uses other than wilderness.

Private laws

Private Law 97–22 (H.R. 1543), Mr. Edwards of California: An act confirming a conveyance of certain real property by the Central Pacific Railway Co. and Southern Pacific Co. to A. C. Taber and his wife, Mary Taber.

Private Law 97-49 (S. 835), Mr. Stevens: An act for the relief of Jerry L. Crow.

OTHER MEASURES ACTIVELY CONSIDERED

S. 512, Mr. Laxalt, and Mr. Cannon: A bill to direct the Secretary of Agriculture to convey certain national forest system lands in the State of Nevada, and for other purposes. (Hearing held and full committee markup.) (See Public Law 97-56.)

S. 656, Mr. Mathias, and Mr. Sarbanes: A bill to preserve, protect, and maintain the original boundary stones of the Nation's Capitol. (Hearing held.)

S. 706, Mr. Domenici, Mr. Symms, Mr. Laxalt, and Mr. Durenberger: A bill to establish a national policy to provide for the timely notice, conduct, approval, and record of Federal land surveys, and for other purposes. (Hearing held.)

S. 763, Mr. McClure, and Mr. Symms: A bill to authorize and direct the Secretary of the Interior to convey, by quitclaim deed, all right, title, and interest of the United States in and to certain lands that were withdrawn or acquired for the purpose of relocating a portion of the city of American Falls out of the area flooded by the American Falls Reservoir. (Passed the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 794, Mr. Goldwater, and Mr. DeConcini: A bill to amend the National Trails System Act to designate the General Crook Trail in Arizona and the Beale Wagon Road in Arizona, for study to determine the feasibility and desirability of their designation as national historic trails. (Reported to the Senate, amended.)

S. 842, Mr. Hayakawa, Mr. McClure, Mr. Helms, Mr. Heflin, Mr. Symms, Mr. Hatch, Mr. East, Mr. Tower, and Mr. Simpson: A bill to provide for stability and certainty in planning and management of certain national forest lands. (Hearings held.)

S. 894, Mr. Cannon, Mr. Laxalt, Mr. Andrews, Mr. Schmitt, Mr. Burdick, Mr. Domenici, Mr. Bentsen, Mr. Durenberger, and Mr. Murkowski: A bill to exempt rural electrical cooperatives from fees under the Federal Land Policy and Management Act of 1976. (Hearing held.)

S. 901, Mr. Hatfield: To preserve and protect the Georgetown waterfront for the recreational use of the public. (Passed the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 910, Mr. McClure (by request): A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes. (Hearing held.)

S. 982, Mr. Symms, and Mr. McClure: A bill to provide for the conveyance of certain Federal lands adjacent to Lake Shore Drive, Lake Lowell, Boise project, Idaho. (Passed the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 1117, Mr. Cranston, Mr. Ford, and Mr. Warner: A bill to designate certain lands in the Shasta Trinity National Forest, Calif., as the Mount Shasta wilderness. (Hearing held.)

S. 1138, Mr. Chiles: A bill to prohibit the issuance of phosphate mining leases in Osceola National Forest, Fla. (Hearing held.) (See H.R. 9.)

S. 1242, Mr. Hayakawa: A bill to provide that certain lands constituting part of the El Dorado National Forest be conveyed to certain persons who purchased and held such lands in good faith reliance on an inaccurate surveyor's map. (Hearing held.)

S. 1303, Mr. Melcher: A bill to authorize the Secretary of the Interior to exchange certain lands in Hill County, Mont. (Hearing Held.)

S. 1349, Mr. Bumpers: A bill to amend the act of October 9, 1965. (Hearing held.)

S. 1584, Mr. Byrd of West Virginia for Mr. Cranston: A bill to designate certain public lands in the State of California, and for other purposes. (Hearing held.)

S. 1633, Mrs. Hawkins: A bill to prohibit the issuance of phosphate mining leases in Osceola National Forest, Fla. (Hearing held.) (See H.R. 9.)

S. 1661, Mr. Grassley: A bill to authorize the Secretary of the Interior to acquire certain lands by exchange for aditional to Effigy Mounds National Monument in the State of Iowa, and for other purposes. (Passed the House, amended.)

S. 1705, Mr. McClure (by request): A bill to amend the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701) to permit temporary use by Federal departments and agencies of public lands controlled by the Bureau of Land Management, Department of the Interior. (Passe the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 1767, Mr. Cannon, and Mr. Laxalt: A bill to transfer certain lands in Clark County, Nev., from the Department of Agriculture to the Frontier Girl Scout council. (Hearing held.)

S. 1873, Mr. Chiles: A bill to designate components of the national wilderness system in the State of Florida and to prohibit the issuance of phosphate mining leases in the Osceola National Forest. (Hearing held.) (Also see H.R. 9.)

S. 1964, Mr. Eagleton, and Mr. Danforth: A bill to designate certain lands in the Mark Twain National Forest, Mo., which comprise about 17,562 acres, and known as the Irish Wilderness, as a component of the National wilderness preservation system. (H. Res. 628, a rule to allow for consideration of S. 1964 failed of passage.)

S. 1978, Mr. Johnston: A bill to quiet title and possession with respect to a certain private land claim in Livingston Parish, La. (Passed the Senate and the House, amended.)

S. 1999, Mr. Warner: A bill to amend the act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes. (Reported to the Senate, amended.) (See Public Law 97–310.)

S. 2021, Mr. Baker for Mr. Domenici: A bill to provide for the disposal of certain Federal lands in New Mexico and for the acquisition of certain other lands in Bernalillo County, N. Mex., to be purchased with the proceeds from the disposal of such Federal lands. (Hearing held.)

S. 2061, Mr. Moynihan, Mr. Mathias, Mr. Cranston, Mr. Levin, Mr. Pell, Mr. Burdick. Mr. Bumpers, Mr. Cannon, Mr. Pryor, Mr. Metzenbaum, Mr. Jackson, Mr. Dodd, Mr. Sarbanes, Mr. Glenn, Mr. Heinz,

Mr. Hayakawa, Mr. Leahy, Mr. Hatfield, and Mr. Kennedy: A bill to provide for the conservation, rehabilitation, and improvement of natural and cultural resources located on public and Indians lands, and for other purposes. (Hearing held.)

S. 2110, Mr. Melcher: A bill to establish the Lee Metcalf Wilderness and Management Area in the State of Montana, and for other purposes. (Reported to the Senate, amended.)

S. 2118, Mr. Wallop, and Mr. Simpson: A bill to designate certain National forest system lands in the State of Wyoming for inclusion in the National wilderness preservation system, to release other forest lands for multiple use management, to withdraw designated wilderness areas in Wyoming from mineral activity, and for other purposes. (Referred jointly to the House Committees on Interior and Insular Affairs, on Agriculture and on Rules.)

S. 2133, Mr. Gorton and Mr. Jackson: A bill to designate certain lands in the State of Washington as a national volcanic area, and for other purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–243.)

S. 2157, Mr. Percy, and Mr. Dixon: A bill to provide for the establishment of the Illinois and Michigan Canal National Heritage Corridor, and for other purposes. (Hearing held.)

S. 2183, Mr. McClure, Mr. Laxalt, Mr. Symms, Mr. Hatfield, Mr. Wallop, Mr. Simpson, and Mr. Mattingly: A bill to make certain amendments to Public Law 92–195 relating to the protection of Wild free-roaming horses and burros. (Hearing held.)

S. 2186, Mr. Lugar: A bill to authorize the Secretary of the Interior to acquire certain lands by exchange at Indiana Dunes National Lakeshore in the State of Indiana, and for other purposes. (Full committee markup.) (See Public Law 97–356.)

S. 2279, Mr. Ford: To designate the Alben Barkley National Historic Site. (Passed the Senate, amended.)

S. 2308, Mr. DeConcini, and Mr. Goldwater: A bill to direct the Secretary of Agriculture to convey certain property to the city of Show Low, Ariz. (Passed the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 2569, Mr. Mattingly, and Mr. Nunn: A bill to declare certain lands in the Cumberland Island National Seashore, Ga., as wilderness, and for other purposes. (Reported to the Senate without amendment.) (See Public Law 97–250.)

S. 2715, Mr. Wallop, and Mr. Domenici: A bill to establish the National Park Visitor Facilities Fund, and for other purposes. (Indefinitely postponed by the Senate.) (See Public Law 97–433.)

S. 2752, Mr. McClure (by request): A bill to amend the Pennsylvania Avenue Development Corporation Act of 1972 to authorize appropriations and further borrowings for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House, and for other purposes. (Hearing held.)

S. 2754, Mr. McClure (by request): A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, Massachusetts, as amended. (Hearing held.)

S. 2755, Mr. McClure (by request): A bill to amend the act of October 21, 1970, establishing the Sleeping Bear Dunes National Lake-

shore, Michigan, as amended. (Hearing held.) (See Public Law 97–361.)

S. 2756, Mr. McClure (by request): A bill to amend the act of October 26, 1972 (86 Stat. 1181), as amended, to increase the authorization of appropriations for Perry's Victory and International Peace Memorial Monument, and for other purposes. (Hearing held.)

S. 2757, Mr. McClure (by request): A bill to amend the act of March 10, 1966, providing for the establishment of Cape Lookout National Seashore, North Carolina, as amended. (Hearing held.)

S. 2759, Mr. McClure (by request), and Mr. Warner: A bill to provide financial assistance to the Wolf Trap Foundation for the Performing Arts for reconstruction of the Filene Center in Wolf Trap Farm Park, and for other purposes. (Full committee markup.) (See Public Law 97–310.)

S. 2801, Mr. Jackson, Mr. Cranston, Mr. Bumpers, Mr. Metzenbaum, Mr. Stafford, Mr. Proxmire, Mr. Tsongas, Mr. Baucus, Mr. DeConcini, Mr. Biden, Mr. Bradley, Mr. Cannon, Mr. Chafee, Mr. Chiles, Mr. Cohen, Mr. Danforth, Mr. Dixon, Mr. Dodd, Mr. Durenberger, Mr. Eagleton, Mr. Exon, Mr. Ford, Mr. Gorton, Mr. Hart, Mrs. Hawkins, Mr. Heinz, Mr. Hollings, Mr. Huddleston, Mr. Inouye, Mr. Kennedy, Mr. Leahy, Mr. Levin, Mr. Mathias, Mr. Matsunaga, Mr. Mitchell, Mr. Moynihan, Mr. Nunn, Mr. Packwood, Mr. Pell, Mr. Percy, Mr. Pryor, Mr. Riegle, Mr. Rudman, Mr. Sarbanes, Mr. Sasser, Mr. Specter, Mr. Weicker, Mr. Roth, Mr. Johnston, Mr. D'Amato, Mr. Warner, Mr. Glenn, Mr. Pressler, and Mr. Lugar: A bill to withdraw certain lands from mineral leasing, and for other purposes. (Wilderness Protection Act of 1982.) (Hearing held.)

S. 2805, Mr. Hatfield, Mr. Packwood, Mr. Jackson, Mr. Gorton, Mr. Cranston, Mr. Murkowski, Mr. Randolph, and Mr. Stevens: A bill to provide for the orderly termination, extension, or modification of certain contracts for the sale of Federal timber, and for other purposes. (Ordered reported to the Senate, amended.)

S. 2818, Mr. McClure, and Mr. Symms: A bill to authorize the Secretary of Agriculture for national forest system lands and the Secretary of the Interior for public lands to adjust the termination date of certain contracts for the sale of timber from national forest system lands and public lands. (Full committee markup.) (See S. 2805.)

S. 3039, Mr. Robert C. Byrd, on behalf of Mr. DeConcini and Mr. Goldwater: A bill to provide for the use of certain fees collected from visitors to Grand Canyon National Park, and for other purposes. (Passed the Senate.) (Referred to the House Interior and Insular Affairs Committee.)

S. 3060, Mr. Hatfield, Mr. Packwood, Mr. Hart, Mr. Kasten, Mr. Hayakawa, Mr. Tsongas, Mr. Lugar, Mr. Cranston, Mr. Bumpers, Mr. Heinz, Mr. Proxmire, Mr. Durenberger, Mr. Weicker, Mr. Specter, Mr. Armstrong, and Mr. Dodd: A bill to amend section 7(b) of the Wild and Scenic Rivers Act. (Hearing held.)

S. 3077, Mr. Eagleton: A bill to establish the Harry S. Truman National Historic Site in the State of Missouri, and for other purposes. (Passed the Senate, amended.)

S.J. Res. 155, Mr. Cohen and Mr. Mitchell: A joint resolution redesignating the Saint Croix Island National Monument in the State

of Maine as the "Saint Croix Island International Historic Site." (Passed the Senate.) (In the House, referred jointly to the Committee on Interior and Insular Affairs, and Public Works and Transportation.)

H.R. 9, Mr. Fuqua, et al.: A bill to designate components of the national wilderness preservation system in the State of Florida. (Florida Wilderness Act of 1982.) (Vetoed by the President.)

H.R. 861, Mr. Phillip Burton, et al.: A bill to amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes. (Reported to the Senate, amended.)

H.R. 1528, Mr. Edwards of California: A bill to provide an exception to the requirements of the act of August 30, 1980 (26 Stat. 391; 43 U.S.C. 945), with regard to certain lands in Riverside County, Calif. (Hearing held.)

H.R. 2820, Mr. Dellums, et al.: A bill to provide that certain lands constituting part of the El Dorado national forest to be conveyed to certain persons who purchased and held such lands in good faith reliance on an inaccurate surveyor's map. (Hearing held.)

H.R. 4861, Mr. Seiberling, et al.: A bill to establish the American Conservation Corps, and for other purposes. (Hearing held.)

H.R. 6011, Mr. Flippo: A bill to designate certain lands in the Bankhead National Forest, Ala., as a wilderness area into the Sipsey Wilderness. (Hearing held.)

H.R. 6091, Mr. Fauntroy, et al.: A bill to designate the Mary McLeod Bethune Council House as a national historic site, and for other purposes. (See Public Law 97-329.)

H.R. 6542, Mr. Seiberling, et al.: A bill to withdraw certain lands from mineral leasing, and for other purposes. (Wilderness Protection Act of 1982.) (Hearing held.)

Subcommittee on Water and Power

Frank H. Murkowski, Alaska, *Chairman*

Mark O. Hatfield, Oregon	John Melcher, Montana
Lowell P. Weicker, Jr., Connecticut	Wendell H. Ford, Kentucky
Malcolm Wallop, Wyoming	Paul E. Tsongas, Massachusetts
Don Nickles, Oklahoma	Bill Bradley, New Jersey

JURISDICTION

The jurisdiction of the Subcommittee on Water and Power includes oversight and legislative responsibilities for irrigation; reclamation projects; power marketing administrations (e.g. Bonneville, Western Area Power, Southeastern Power); energy development impacts on water resources; small power producers; and hydroelectric power.

OVERSIGHT ACTIVITIES

During the 97th Congress, the Subcommittee on Water and Power held 4 days of oversight hearings on:

Hydroelectric development in Alaska (1 day);

Hydroelectric development and licensing procedures (2 days); and

Bonneville Power Administration's transmission line siting practices in the State of Montana (1 day).

The hearings of the subcommittee on hydroelectric development and licensing were held jointly with the Subcommittee on Energy Regulation.

LEGISLATIVE ACTIVITIES

During the 97th Congress, 29 Senate bills, 1 Senate resolution, and 5 House bills were referred to the subcommittee. Public hearings were held on 16 of these measures.

Thirteen measures referred to the subcommittee were reported favorably by the full committee. Twelve measures under the subcommittee's jurisdiction were passed by the Senate, eight of them became public law.

The subcommittee held 9 days of hearings on the various legislative measures indicated below, including:

Amendments to the Emergency Fund Act (1 day);

Establishment of the Northeast-Midwest States Federal Hydropower Financing Authority (1 day);

Dam safety (2 days);

Hydroelectric licensing reforms; and

Other legislative matters within its jurisdiction.

The legislative efforts of the subcommittee emphasized (*a*) Alaska Natural Gas Transportation System, (*b*) dam safety, (*c*) hydroelectric power, and (*d*) reclamation reform.

Dam safety

The subcommittee held hearings, and the committee reported, S. 956, to amend the Reclamation Safety of Dams Act of 1978 to authorize additional appropriations. The measure authorizes the Secretary of the Interior to replace or modify existing Bureau of Reclamation dams for safety purposes. The bill also included certain reclamation project dams not in Federal ownership. However, Senate action was not taken.

Hydroelectric power

Early in the 97th Congress the subcommittee completed action on. and the Senate passed, legislation (S. 306) to retrofit existing hydroelectric structures with significantly increased generation capacity to provide needed additional energy for Western States. However, the measure was not acted on by the House of Representatives.

Reclamation Reform Act of 1982

Because of the efforts of the subcommittee, in conjunction with the full committee, after years of often rigorous debate the Congress completed action on long-awaited reclamation law reform. The Reclamation Reform Act of 1982 (title II of Public Law 97–293) provided for an increase in the basic ownership interests to which Federal reclamation water may be supplied and a formula for full cost payment by larger farming operations. The act provides that certain benefits of the new law, which include an ownership limitation of 960 acres and the

application of equivalency, should be available to irrigators in districts having existing contracts only if the district agrees to amend its contract to provide for the payment of full cost by larger farming operations in excess of 960 acres. Individuals in the district may make such an election if the district does not do so. The act also provides disincentives for those districts not amending their contracts.

In addition the act imposes an obligation upon the districts to develop a water conservation plan and a timetable for meeting water conservation objectives.

MEASURES ENACTED INTO LAW

Public laws

Public Law 97-41 (S. 875), Mr. Hayakawa and Mr. Cranston: An act to authorize the generation of electrical power at Palo Verde irrigation district diversion dam, California.

Public Law 97-273 (H.R. 4347), Mr. Roberts, et al: South Dakota Water Resource Development Act. (Also see S. 1553.)

Public Law 97-275 (S. 1628), Mr. McClure (by request): An act to amend the Emergency Fund Act (Act of June 26, 1948, 62 Stat. 1052).

Public Law 97-293 (S. 1409: title II, formerly S. 1867, Mr. McClure, Mr. Jackson, Mr. Abdnor, Mr. Domenici, Mr. Goldwater, Mr. Hatch, Mr. Hayakawa, Mr. Laxalt, Mr. Simpson, Mr. Symms, Mr. Wallop, Mr. Armstrong, and Mr. DeConcini: Reclamation Reform Act of 1982 (an act authorizing the Secretary of the Interior to construct, operate, and maintain modifications of the existing Buffalo Bill Dam and Reservoir, Shoshone project, Pick-Sloan Missouri Basin program). (Also see H.R. 5539, full committee).

Public Law 97-338 (H.R. 6188), Mr. Bereuter, et al.: Platte River Water Resources Study Act.

Public Law 97-345 (S. 1573), Mr. Hatfield and Mr. Packwood: An act to amend the Water Resources Development Act of 1976 with respect to Lake Oswego, Oreg., and for other purposes.

Public Law 97-373 (S. 2177), Mr. Domenici and Mr. Goldwater: An act to amend title III of Colorado River Basin Project Act.

Public Law 97-381 (S. 1681), Mr. Cannon and Mr. Laxalt: An act to designate the southern Nevada water project the "Robert B. Griffith Water Project."

OTHER MEASURES ACTIVELY CONSIDERED

S. 306, Mr. Hatfield, Mr. Jackson, Mr. Wallop, Mr. Melcher, Mr. Cranston, Mr. Domenici, Mr. DeConcini, and Mr. Matsunaga: A bill to authorize the Secretary of the Interior to construct, operate, and maintain hydroelectric powerplants at various existing water projects, and for other purposes. (Passed the Senate, amended.)

S. 698, Mr. DeConcini and Mr. Goldwater: A bill to authorize the Secretary of the Interior to assist the Yuma County Water Users' Association, Arizona, to relocate the headquarters of such association. (Hearing held).

S. 933, Mr. Abdnor and Mr. Pressler: A bill to authorize rehabilitation of the Belle Fourche irrigation project, and for other purposes. (Passed the Senate, amended.)

S. 956, Mr. DeConcini, Mr. Goldwater, Mr. Wallop, and Mr. Cranston: A bill to amend the Reclamation Safety of Dams Act of 1978 to authorize additional appropriations, and for other purposes. (Reported to the Senate, amended.)

S. 1553, Mr. Abdnor and Mr. Pressler: A bill to authorize the Secretary of the Interior to proceed with development of the WEB pipeline, to provide for the study of South Dakota water projects to be developed in lieu of the Oahe and Pollock-Herreid irrigation projects, and to make available Missouri basin pumping power to projects authorized by the Flood Control Act of 1944 to receive such power. (Full Committee markup.) (See Public Law 97-273).

S. 1621, Mr. Cannon and Mr. Laxalt: A bill to authorize the replacement of existing pump casings in southern Nevada water project pumping plants 1A and 2A, and for other purposes. (Failed of passage in the House under suspension of the rules.) (Subsequently added to S. 1999 (Subcommittee on Public Lands and Reserved Water) which passed the Senate and was referred to the House Interior and Insular Affairs Committee.)

S. 1918, Mr. Specter, Mr. Riegle, Mr. Durenberger, Mr. Heinz, Mr. Jepsen, and Mr. Weicker: A bill to establish the Northeast-Midwest States Federal Hydropower Financing Authority. (Hearing held.)

S. 2202, Mr. Laxalt, Mr. Cannon, Mr. Goldwater, Mr. Wallop, Mr. Hatfield, Mr. Cranston, Mr. Hart, Mr. Simpson, Mr. Hatch, and Mr. Garn: A bill to amend the Colorado River Basin Salinity Control Act to authorize certain additional measures to assure accomplishments of the objectives of title II of such act, and for other purposes. (Hearing held.)

S. 2443, Mr. Murkowski: A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments. (Indefinitely postponed by the Senate.) (See H.R. 5536.)

S. 2568, Mr. Armstrong and Mr. Hart: A bill to provide for the confirmation of the repayment contract of the Dallas Creek participating project of the Upper Colorado storage project. (Reported to the Senate without amendment.)

S. 2684, Mr. Baker for Mr. Hayakawa: A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Santa Margarita project, California, and for other purposes. (Hearing held.)

S. 2811, Mr. Hayakawa and Mr. Cranston: A bill to extend the restriction of water resource project construction for 1 year on the Tuolumne River, Calif. (Hearing held.)

H.R. 5536, Mrs. Smith of Nebraska: A bill to authorize the Secretary of the Interior to engage in a feasibility study of water resources development and for other purposes in the Central Platte Valley, Nebr. (Passed the Senate amended and the House agreed to the Senate amendment with a further amendment.)

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